

**AGENDA OF AN ADJOURNED REGULAR MEETING - NATIONAL CITY  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION – HOUSING  
AUTHORITY OF THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, AUGUST 2, 2016 – 5:00 PM**

**RON MORRISON**  
*Mayor*

**JERRY CANO**  
*Vice Mayor*

**ALBERT MENDIVIL**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

**ALEJANDRA SOTELO-SOLIS**  
*Councilmember*

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

**REPORTS:** All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **[www.nationalcityca.gov](http://www.nationalcityca.gov)**.

**PUBLIC COMMENTS:** Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**1243 National City Blvd.  
National City  
619-336-4240**

**Meeting agendas and  
minutes available on web**

**[WWW.NATIONALCITYCA.GOV](http://WWW.NATIONALCITYCA.GOV)**

**WRITTEN AGENDA:** With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

*Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.*

*Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.*

**COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.**

**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**PROCLAMATIONS**

**AWARDS AND RECOGNITIONS**

**PRESENTATIONS**

**INTERVIEWS / APPOINTMENTS**

**CONSENT CALENDAR**

1. Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of \_\_\_\_\_. (City Clerk)
2. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Southern California Soil & Testing, Inc. \(SCS&T\) to extend the expiration date of the Agreement one year to August 4, 2017, to provide on-call project support services for National City's Capital Improvement Program \(CIP\), including, but not limited to, geotechnical, soils and material testing. \(Engineering/Public Works\)](#)
3. [Resolution of the City Council of the City of National rescinding Resolution No. 15,222 adopted by City Council on February 24, 1987, to remove parking restrictions for the cul-de-sac on the 3300 Block of E. 9th Street. \(Public Work\)](#)
4. [Resolution of the City Council of the City of National authorizing the appropriation of \\$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recycling services.\(Engineering/Public Works\)](#)

5. [Resolution of the City Council of the City of National City authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \\$2,500 from SDG&E's 2016 SAFE San Diego philanthropic giving initiative for the National City Community Emergency Response Team \(CERT\). \(Fire\)](#)
6. [Resolution of the City Council of the City of National City authorizing the City Manager to execute an Agreement, between the City of National City and National School District, to provide swim lessons for third grade students at Las Palmas Pool; for the period August 8, 2016 through January 31, 2017 the agreement generates \\$40,000 in revenue. \(Community Services\)](#)
7. [Resolution of the City Council of the City of National City approving a salary schedule for the Firefighters Association employee group for fiscal year 2017, effective August 2, 2018, in compliance with the requirements of the California Public Employees Retirement System \(CalPERS\) \(Human Resources\)](#)
8. [Resolution of the City Council of the City of National City approving a revised salary schedule for the Management employee group for Fiscal Year 2017 in compliance with the requirements of the California Public Employees Retirement System \(CalPERS\), increasing the salary bands for Assistant Director of Public Works/Engineering and Police Captain. \(Human Resources\)](#)
9. [Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees Retirement System \(CalPERS\), including a 2% salary adjustment for all Confidential employee group classifications. \(Human Resources\)](#)
10. [Investment transactions for the month ended May 31, 2016. \(Finance\)](#)
11. [Investment Report for the quarter ended June 30, 2016. \(Finance\)](#)
12. [Warrant Register #48 for the period of 05/25/16 through 05/31/16 in the amount of \\$589,818.81. \(Finance\)](#)
13. [Warrant Register #49 for the period of 06/01/16 through 06/07/16 in the amount of \\$2,952,133.53. \(Finance\)](#)
14. [Warrant Register #50 for the period of 06/08/16 through 06/14/16 in the amount of \\$818,658.24. \(Finance\)](#)

15. [Warrant Register #51 for the period of 06/15/16 through 06/21/16 in the amount of \\$2,555,094.36. \(Finance\)](#)
16. [Warrant Register #52 for the period of 06/22/16 through 06/28/16 in the amount of \\$656,714.71. \(Finance\)](#)

## **PUBLIC HEARINGS**

17. [Public Hearing – Conditional Use Permit for beer and wine sales at Gama Produce located at 1605 East 4th Street. \(Applicant: Susana Maza\) \(Case File 2015-28 CUP\) \(Planning\)](#)
18. [Public Hearing – Conditional Use Permit for a craft beer tasting room \(Novo Brazil\) at 27 & 41 East 8th Street. \(Applicant: Joshua Renner\) \(Case File 2016-12 CUP\) \(Planning\)](#)

## **ORDINANCES FOR INTRODUCTION**

## **ORDINANCES FOR ADOPTION**

## **NON CONSENT RESOLUTIONS**

19. [Resolution of the City Council of the City of National City denying a street vacation request for vacation of a segment of “A” Avenue located south of East 28th Street and north of East 29th Street. \(Applicant: Frank Motors\) \(Case File No. 2013-23 SC\) \(Planning\)](#)
20. [Resolution of the City Council of the City of National City approving the Final Audit Report for the Morgan Square Business Improvement District for the period from January 1, 2008 through and including June 30, 2014](#)
21. [Resolution of the City Council of the City of National City, 1\) authorizing the City Manager to execute Earmark Repurposing sheets for submittal to SANDAG to repurpose Federal earmarked SAFETEA-LU funds in the amount of \\$611,931 from the I-805 sound walls project to local roadway rehabilitation projects; and 2\) committing to a 20% local match in the amount of \\$152,983 using local Prop A TransNet funds, as required for repurposing. \(Engineering/Public Works\)](#)

## **NEW BUSINESS**

22. [Temporary Use Permit 8th Annual Health & Wellness Fair hosted by Paradise Valley Hospital and The Southbay Times on October 29, 2016 from 10 a.m. to 3 p.m. at 2400 E. 4th Street with no waiver of fees. \(Neighborhood Services\)](#)
23. [League of California Cities Annual Conference - Designation of Voting Delegate and Alternate\(s\). \(City Manager\)](#)

**B. COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY**

**PUBLIC HEARINGS- HOUSING AUTHORITY**

**CONSENT RESOLUTIONS- HOUSING AUTHORITY**

**NON CONSENT RESOLUTIONS- HOUSING AUTHORITY**

**NEW BUSINESS- HOUSING AUTHORITY**

**C. REPORTS**

**STAFF REPORTS**

**MAYOR AND CITY COUNCIL**

**CLOSED SESSION REPORT**

**ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - August 16, 2016 - 6:00 p.m. - Council Chambers - National City, California.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Southern California Soil & Testing, Inc. (SCS&T) to extend the expiration date of the Agreement one year to August 4, 2017

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Southern California Soil & Testing, Inc. (SCS&T) to extend the expiration date of the Agreement one year to August 4, 2017, to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, geotechnical, soils and material testing.

**PREPARED BY:** Stephen Manganiello

**PHONE:** 619-336-4382

**EXPLANATION:**

See attached.

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Funds are appropriated in various CIP accounts for FY 2017.

**APPROVED:** \_\_\_\_\_



Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt resolution executing a First Amendment to the Agreement with Southern California Soil & Testing, Inc.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. First Amendment to Agreement
3. Resolution

**Explanation:**

On August 5, 2014, per City Council Resolution No. 2014-103, the City of National City entered into an Agreement with Southern California Soil & Testing, Inc. to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, geotechnical, soils and materials testing. The Agreement was for a not-to-exceed amount of \$300,000 and a term of two years, with the option to extend for an additional period of up to one year.

The City's current 5-Year CIP is projected to deliver over \$90 million in major public improvements. In order to continue timely completion of Capital Improvement Projects, staff is requesting a First Amendment to the Agreement to extend the expiration date of the Agreement one year to August 4, 2017.

Funds are appropriated in various CIP accounts for FY 2017.

**FIRST AMENDMENT TO AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
SOUTHERN CALIFORNIA SOIL & TESTING, INC.**

This First Amendment to the Agreement is entered into this 2<sup>nd</sup> day of August, 2016 by and between the City of National City, a municipal corporation ("CITY"), and Southern California Soil & Testing, Inc. (the "CONSULTANT").

**RECITALS**

WHEREAS, The CITY and the CONSULTANT entered into an Agreement on August 5, 2014, ("the Agreement") through the adoption of City of National City Council Resolution No. 2014-103, wherein the CONSULTANT agreed to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, geotechnical, soils and materials testing.

WHEREAS, the original Agreement had a not-to-exceed amount of \$300,000; and

WHEREAS, the original Agreement is set to expire on August 4, 2016, with the option to extend for an additional period of up to one year, through August 4, 2017; and

WHEREAS, the parties desire to extend the expiration date of the Agreement one year to August 4 , 2017.

**AGREEMENT**

NOW, THEREFORE, the parties agree to amend the Agreement entered into on August 5, 2014 as follows:

1. Extend the expiration date of the Agreement one year to August 4, 2017.
2. The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated August 5, 2014, shall remain in full force and effect.

*<Signature page to follow>*

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment on the date and year first above written.

**CITY OF NATIONAL CITY**

**SOUTHERN CALIFORNIA SOIL &  
TESTING**

By: \_\_\_\_\_  
Ron Morrison, Mayor

By: \_\_\_\_\_  
Neal W. Clemens, C.E.O

By: \_\_\_\_\_  
Emil Rudolf, Principal Engineer

APPROVED AS TO FORM:

\_\_\_\_\_  
Claudia Gacitua Silva  
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National rescinding Resolution No. 15,222 adopted by City Council on February 24, 1987, to remove parking restrictions for the cul-de-sac on the 3300 Block of E. 9th Street. (Public Work)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National rescinding Resolution No. 15,222 adopted by City Council on February 24, 1987, to remove parking restrictions for the cul-de-sac on the 3300 Block of E. 9th Street.

**PREPARED BY:** Stephen Manganiello

**PHONE:** 619-336-4382

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:**

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt resolution rescinding Resolution No. 15,222 adopted by City Council on February 24, 1987, to remove parking restrictions for the cul-de-sac on the 3300 Block of E. 9th Street.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Location Map
3. Fire Department Letter dated February 12, 1987
4. Resolution

**Explanation:**

On February 24, 1987, City Council adopted Resolution No. 15,222 authorizing establishment of angle parking, red curb and no parking zone within the cul-de-sac on the 3300 block of E. 9<sup>th</sup> Street to facilitate a "hammerhead" turn-around area for emergency vehicles. See attached letter from the Fire Department, dated February 12, 1987, which highlights the recommendations.

Based on feedback from residents, the City Engineer and Fire Marshall inspected the 3300 block of E. 9<sup>th</sup> Street and cul-de-sac on July 19, 2016, to determine whether or not parking restrictions are needed to facilitate emergency service. Field measurements taken confirm that the length of the street to the center of the cul-de-sac is approximately 150 feet, while the width of the street measured from curb-to-curb is approximately 40 feet. The diameter of the cul-de-sac is approximately 60 feet. There was no red curb or angle parking painted within the cul-de-sac. As such, vehicles were parked parallel around the cul-de-sac, and along both sides of the street.

The California Fire Code does not require a turn-around area for emergency vehicles if the length of a dead end street is 150 feet or less, and there is a minimum width of 20 feet clear from obstructions. Based on the results of the field inspection, both the Fire Marshall and City Engineer concur that the intent of the Fire Code is being satisfied without the need for parking restrictions.

Therefore, staff recommends rescinding Resolution No. 15,222 adopted by City Council on February 24, 1987, to remove parking restrictions for the cul-de-sac on the 3300 Block of E. 9<sup>th</sup> Street. Notifications were sent to all residents of the 3300 block of E. 9<sup>th</sup> Street two weeks in advance of the Council Meeting.

LOCATION MAP - 3300 BLOCK E. 9TH STREET





## City of National City Fire Department

333 E. 16th St., National City, CA 92050-4596  
Phone: (619) 336-4270

February 12, 1987

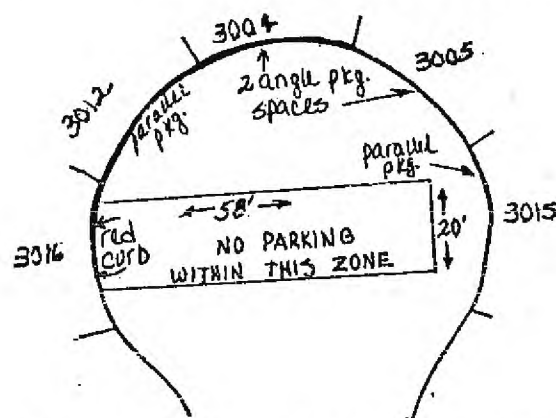


Re: Fire Lane Turn-around

Dear Owner or Current Resident,

The National City Fire Department has developed an alternative to the subject fire lane for your cul-de-sac.

Instead of a designated fire lane around the curb of the cul-de-sac, a "hammerhead" turn-around for fire apparatus will be designated in an area 20 ft. wide by approx. 58 ft. long:



No parking will be allowed in this area which will be marked with red paint and white lettering.

Angle parking for two (2) cars only will be allowed in front of 3004 and 3005 E. 9th St. Parallel parking will be allowed in front of 3012 and 3015 E. 9th St. A red curb with no parking allowed will be provided in front of 3016 E. 9th St.

The National City Fire Department has been directed by the City Council to provide them with a final disposition on this matter at the February 24, 1987 council meeting.

Please fill out the form attached with your consideration of this new proposal and return no later than Feb. 17, 1987 to:



July 20, 2016

Property Owner(s)/Resident(s)/Institution  
National City, CA 91950

RE: 3300 BLOCK OF E. 9<sup>TH</sup> STREET

STAFF RECOMMENDATION TO REMOVE ALL PARKING  
RESTRICTIONS FOR THE CUL-DE-SAC ON THE 3300 BLOCK OF  
E. 9<sup>TH</sup> STREET TO ALLOW FOR UNRESTRICTED PARALLEL PARKING

Dear Sir/Madame:

The City of National City would like to inform you that this item will be presented to the City Council of the City of National City on **Tuesday, August 2, 2016, at 6:00 P.M.**

The public meeting will be held in the 2<sup>nd</sup> floor Council Chambers of the Civic Center Building located at 1243 National City Boulevard.

Sincerely,

A handwritten signature in black ink that reads "Stephen Z. Manganiello".

Stephen Manganiello  
City Engineer

SM:tg

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National authorizing the appropriation of \$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recy

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National authorizing the appropriation of \$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recycling services.

**PREPARED BY:** Stephen Manganiello

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4382

**APPROVED BY:** 

**EXPLANATION:**

In an effort to keep our streets and alleys clean of debris, Public Works staff has requested funding to pay for tire recycling services, which will allow PW crews to drop off tires collected from illegal dumping in City streets and alleys to tire recycling centers.

Fund balance is available in Fund 172 – Trash Rate Stabilization Fund.

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** MIS

Transfer \$3,000 from Fund 172 Fund Balance to M&O expenditure account #172-416-225-299-0000

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt resolution appropriating \$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recycling services.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Resolution

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \$2,500 from SDG&E's 2016 SAFE San Diego philanthropic giving initiative for the National City C

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the establishment of an appropriation and corresponding revenue budget in the amount of \$2,500 from SDG&E's 2016 SAFE San Diego philanthropic giving initiative for the National City Community Emergency Response Team (CERT). (Fire)

**PREPARED BY:** Frank Parra

**DEPARTMENT:** Fire

**PHONE:** 619-336-4551

**APPROVED BY:** 

**EXPLANATION:**

Through SDG&E's 2016 SAFE San Diego philanthropic giving initiative, SDG&E will award \$1 million to more than 80 non-profit organizations, to support local emergency preparedness, safety, and disaster response programs, including volunteer fire departments, 2-1-1 San Diego, Community Emergency Response Teams (CERT), local Fire Safe Councils (FSC), Inter Tribal Long Term Recovery Foundation and regional partners that provide disaster preparedness training, resources, and/or public safety education. SDG&E has provided a check in the amount of \$2,500 from the Burn Institute, who is serving as National City CERT's fiscal agent for this grant. Staff recommends the establishment of an appropriation and corresponding revenue budget in the amount of \$2,500.

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.** Ex. 282-412-912-355-0000 / Rev. 282-12912-3498 **APPROVED:** MIS

No negative impact.

**ENVIRONMENTAL REVIEW:**

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Approve the Resolution.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Resolution

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the City Manager to execute an Agreement, between the City of National City and National School District, to provide swim lessons for third grade students at Las Palmas Pool; for the

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the City Manager to execute an Agreement, between the City of National City and National School District, to provide swim lessons for third grade students at Las Palmas Pool; for the period August 8, 2016 through January 31, 2017 the agreement generates \$40,000 in revenue. (Community Services)

**PREPARED BY:** Audrey Denham

**DEPARTMENT:** Community Services

**PHONE:** 619-336-4243

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

Last year, the National School District (NSD) reestablished its third grade swim lesson program as a component of the NSD Wellness Policy. Due to the closure of Las Palmas, the City of National City's municipal pool, the NSD contracted with the Jackie Robinson YMCA to provide swim lessons for the 2015-2016 school year. With the reopening of Las Palmas Pool, the NSD seeks to relocate the swim lesson program to National City for the 2016-2017 school year. Should the City Council authorize the execution of this agreement, NSD third grade students will receive four swim lessons; each lesson will be one hour in duration. The use of the Las Palmas Pool for such a program is consistent with the current programmatic objectives established by the City and its current facility operator, MediFit.

The term of the Agreement is August 8, 2016 through January 31, 2017. Based on the NSD third grade enrollment level for the school year and the current City Council approved fee schedule, the City will receive \$40,000 in revenue from this Agreement.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

001-41000-3574 (Swimming Pool Revenue) \$40,000

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:**

**INTRODUCTION:**

☐

**FINAL ADOPTION:**

☐

**STAFF RECOMMENDATION:**

Adopt the resolution authorizing the City Manager to execute an Agreement, between the City of National City and National School District, to provide swim lessons for third grade students at Las Palmas Pool for the period August 8, 2016 through January 31, 2017.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Agreement

**AGREEMENT TO PROVIDE SERVICES  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY  
AND  
NATIONAL SCHOOL DISTRICT**

THIS AGREEMENT TO PROVIDE SERVICES ("AGREEMENT") is granted to National School District, a local government organization (the "APPLICANT") by the CITY OF NATIONAL CITY, a municipal corporation (the "CITY") on this 8<sup>th</sup> day of August, 2016.

**R E C I T A L S**

WHEREAS, the APPLICANT wants third grade students attending APPLICANTS schools to take swim lessons.

WHEREAS, the CITY has a swim lesson program offered at Las Palmas Park, operated by MediFit Community Services, LLC. Las Palmas Park and its pool are located at 1800 East 22<sup>nd</sup> Street, National City, CA, 91950 (collectively, the PREMISES).

WHEREAS, the APPLICANT agrees to pay the CITY \$40,000 for APPLICANT's third grade students to participate in swim lessons.

WHEREAS, the APPLICANT agrees that each participant will complete a registration form and waiver of liability, which includes the pool policies, as shown in Exhibit A.

NOW, THEREFORE, THE APPLICANT AGREES THE FOLLOWING TERMS GOVERN THEIR USE OF THE PREMISES AND PARTICIPATION IN SWIM LESSONS:

1. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This AGREEMENT will become effective on August 8, 2016. The duration of this AGREEMENT is for the period of August 8, 2016 through January 31, 2017.

2. **SWIM LESSON PROGRAM AND SCHEDULE.** Third grade students attending within APPLICANTS schools will participate in a swim lesson program that consists of four (4) swim lessons; each lesson will be (1) hour in length and held at the PREMISES. The structure and management of swim lessons shall be at the sole discretion of the CITY. The proposed schedule for swim lessons, as shown in Exhibit B, may be changed upon mutual agreement. The CITY may cancel swim lessons due to thunder, lightning or unsafe conditions and will reschedule canceled swim lessons at a later date. Canceled swim lessons will be rescheduled based on availability. If the APPLICANT cancels a swim lesson, the swim lesson shall not be rescheduled.

3. **FEES, INVOICING & PAYMENT.** The APPLICANT shall pay the CITY \$40,000 for APPLICANT'S third grade students to participate in the swim lesson program. The City will invoice the APPLICANT for the full amount after the AGREEMENT has been executed. The APPLICANT shall remit payment thirty (30) days after receipt of invoice.

4. **AGREEMENT COORDINATION AND CONTACT.** Audrey Denham hereby is designated as the AGREEMENT Coordinator for the CITY and will monitor the use of the PREMISES and compliance with this AGREEMENT. The APPLICANT shall assign a single point of contact to provide supervision and have overall responsibility for the use of the PREMISES and compliance with this AGREEMENT for the APPLICANT. Cindy Vasquez thereby is designated as the Point of Contact for the APPLICANT.

5. **CONTROL.** While APPLICANT'S students are at the PREMISES, APPLICANT shall be responsible for their conduct and behavior. APPLICANT will be responsible for enforcing its rules of conduct upon its students. If students fail to comply with swim instructors during swim lessons, they may be ejected from the lesson by the CITY. The APPLICANT'S students shall comply with all pool policies listed on the registration form and waiver of liability.

6. **COMPLIANCE WITH APPLICABLE LAW.** The APPLICANT, in the use of the Premises as allowed by this AGREEMENT, shall comply with all applicable state and federal statutes and regulations, and all applicable ordinances, rules, and regulations of the City of National City, whether now in force or subsequently enacted.

7. **WAIVER OF LIABILITY BY PARTICIPANTS.** The APPLICANT agrees to have participants sign a registration form and waiver of liability, which includes the pool policies, a sample of which is attached as Exhibit A, specifically waiving any liability against the City of National City, MediFit Community Services, LLC, and the APPLICANT and each of its officers, officials, agents, and employees.

8. **NON-DISCRIMINATION PROVISIONS.** The APPLICANT shall not discriminate against any employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The APPLICANT will take positive action to insure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The APPLICANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the CITY setting forth the provisions of this non-discrimination clause.

9. **INDEMNIFICATION AND HOLD HARMLESS.** The APPLICANT agrees to defend, indemnify and hold harmless the City of National City and MediFit Community Services, LLC, and each of their respective officers, officials, agents, volunteers and employees, against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the use of public property or the activity(ies) taken under this AGREEMENT, including but not limited to any of the swimming lessons at the PREMISES as described in this AGREEMENT; provided, however, that this indemnification

and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the City, its agents, officers, or employees. CITY will cooperate reasonably in the defense of any action, and APPLICANT shall employ competent counsel, reasonably acceptable to the City Attorney.

The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this AGREEMENT for any alleged or actual omission, act, or negligence under this AGREEMENT that occurred during the term of this AGREEMENT.

10. **WORKERS' COMPENSATION.** The APPLICANT shall comply with all of the provisions of the Workers' Compensation Insurance and Safety Acts of the State of California, the applicable provisions of Division 4 and 5 of the California Government Code and all amendments thereto; and all similar State or federal acts or laws applicable; and shall indemnify, and hold harmless the CITY and MediFit Community Services, LLC, and its officers, and employees from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description, including reasonable attorney's fees and defense costs presented, brought or recovered against the CITY and MediFit Community Services, LLC, or its officers, employees, or volunteers, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by the APPLICANT under this AGREEMENT.

11. **INSURANCE.** The APPLICANT, at its sole cost and expense, shall purchase and maintain, and shall require its SUBAPPLICANT(S), when applicable, to purchase and maintain throughout the term of this AGREEMENT, the following insurance policies:

A. **Automobile Insurance** covering all bodily injury and property damage incurred during the term of this AGREEMENT, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles ("any auto"). The policy shall name the CITY and its officers, agents and employees as additional insureds, and a separate additional insured endorsement shall be provided.

B. **Commercial General Liability Insurance**, with minimum limits of \$5,000,000 per occurrence and \$10,000,000 in aggregate, covering all bodily injury and property damage arising out of its operations, work, or performance under this AGREEMENT. The policy shall name the CITY and its officers, agents, employees and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location". The "project" or "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

C. **Workers' Compensation Insurance** in an amount sufficient to meet statutory requirements covering all of APPLICANT'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the City. Said endorsement shall be provided prior to commencement of AGREEMENT.

If APPLICANT has no employees subject to the California Workers' Compensation and Labor laws, APPLICANT shall execute a Declaration to that effect. Said Declaration shall be provided to APPLICANT by CITY.

D. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, officials, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the CITY of cancellation or material change.

E. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the APPLICANT shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this AGREEMENT.

F. Insurance shall be written with only California admitted companies that hold a current policy holder's alphabetic and financial size category rating of not less than A:VII according to the current Best's Key Rating Guide, or a company equal financial stability that is approved by the CITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent California List of Eligible Surplus Lines Insurers (LESLI list) and otherwise meet rating requirements.

G. This AGREEMENT shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with and approved by the CITY'S Risk Manager. If the APPLICANT does not keep all of such insurance policies in full force and effect at all times during the terms of this AGREEMENT, the CITY may elect to treat the failure to maintain the requisite insurance as a breach of this AGREEMENT and terminate the AGREEMENT as provided herein.

H. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY.

12. **LEGAL FEES.** If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this AGREEMENT, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorneys' fees.

For purposes of determining who is to be considered the prevailing party, it is stipulated that attorney's fees incurred in the prosecution or defense of the action or suit shall not be considered in determining the amount of the judgment or award. Attorney's fees to the prevailing party if other than the CITY shall, in addition, be limited to the amount of attorney's fees incurred by the CITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

13. **MEDIATION/ARBITRATION.** If a dispute arises out of or relates to this AGREEMENT, or the breach thereof, the parties agree first to try, in good faith, to settle the dispute by mediation in San Diego, California, in accordance with the Commercial Mediation Rules of the American Arbitration Association (the "AAA") before resorting to arbitration. The costs of mediation shall be borne equally by the parties. Any controversy or claim arising out of, or relating to, this AGREEMENT, or breach thereof, which is not resolved by mediation shall be settled by arbitration in San Diego, California, in accordance with the Commercial Arbitration Rules of the AAA then existing. Any award rendered shall be final and conclusive upon the parties, and a judgment thereon may be entered in any court having jurisdiction over the subject

matter of the controversy. The expenses of the arbitration shall be borne equally by the parties to the arbitration, provided that each party shall pay for and bear the costs of its own experts, evidence and attorneys' fees, except that the arbitrator may assess such expenses or any part thereof against a specified party as part of the arbitration award.

14. **NOTICES.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered; or sent by overnight mail (Federal Express or the like); or sent by registered or certified mail, postage prepaid, return receipt requested; or sent by ordinary mail, postage prepaid; or telegraphed or cabled; or delivered or sent by telex, telecopy, facsimile or fax; and shall be deemed received upon the earlier of (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if sent by overnight mail, the business day following its deposit in such overnight mail facility, (iii) if mailed by registered, certified or ordinary mail, five (5) days (ten (10) days if the address is outside the State of California) after the date of deposit in a post office, mailbox, mail chute, or other like facility regularly maintained by the United States Postal Service, (iv) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (v) if given by telex, telecopy, facsimile or fax, when sent. Any notice, request, demand, direction or other communication delivered or sent as specified above shall be directed to the following persons:

To CITY: Leslie Deese  
City Manager  
City Manager's Office  
City of National City  
1243 National City Boulevard  
National City, CA 91950-4397

To APPLICANT: Paula Jameson-Whitney  
Assistant Superintendent  
Educational Services  
National School District  
1500 N Avenue  
National City, CA 91950

Notice of change of address shall be given by written notice in the manner specified in this Section. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the notice, demand, request or communication sent. Any notice, request, demand, direction or other communication sent by cable, telex, telecopy, facsimile or fax must be confirmed within forty-eight (48) hours by letter mailed or delivered as specified in this Section.

15. **ASSUMPTION OF RISK.** It is expressly understood and agreed that the APPLICANT assumes all risk for loss, damage, liability, injury, cost or expense that may arise during or be caused in any way by APPLICANT's use or occupancy of the PREMISES.

The APPLICANT further agrees that in consideration of being permitted the use of the PREMISES, they will save and hold harmless the said City of National City, its officers, agents, employees, and volunteers from any loss, claims, and liability damages, and/or injuries to persons and property that in any way may be caused by the applicant's use or occupancy.

The APPLICANT will abide by the regulations governing said PREMISES and agree to abide by all City of National City ordinances and rules and policies of the PREMISES. The APPLICANT is responsible for any damage/loss sustained by the ground, building, furniture or equipment or unusual clean up occurring through the occupancy of said PREMISES.

16. **MISCELLANEOUS PROVISIONS.**

A. *Computation of Time Periods.* If any date or time period provided for in this AGREEMENT is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date shall automatically be extended until 5:00 p.m. Pacific Time of the next business day which is not a Saturday, Sunday or federal, state, or legal holiday.

B. *Counterparts.* This AGREEMENT may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.

C. *Captions.* Any captions to, or headings of, the sections or subsections of this AGREEMENT are solely for the convenience of the parties hereto, are not a part of this AGREEMENT, and shall not be used for the interpretation or determination of the validity of this AGREEMENT or any provision hereof.

D. *No Obligations to Third Parties.* Except as otherwise expressly provided herein, the execution and delivery of this AGREEMENT shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.

E. *Exhibits and Schedules.* The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits or schedules or provisions thereof conflict or are inconsistent with the terms and conditions contained in this AGREEMENT, the terms and conditions of this AGREEMENT shall control.

F. *Amendment to this Agreement.* The terms of this AGREEMENT may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

G. *Waiver.* The waiver or failure to enforce any provision of this AGREEMENT shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

H. *Applicable Law.* This AGREEMENT shall be governed by and construed in accordance with the laws of the State of California.

I. *Audit.* This AGREEMENT may be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the AGREEMENT, per Government Code Section 8546.7.

J. *Entire Agreement.* This AGREEMENT supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.

K. *Successors and Assigns.* This AGREEMENT shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

L. *Construction.* The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this AGREEMENT, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this AGREEMENT, (iv) each party and such party's counsel and advisors have reviewed this AGREEMENT, (v) each party has agreed to enter into this AGREEMENT following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this AGREEMENT, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT on the date and year first above written.

**CITY OF NATIONAL CITY**

**NATIONAL SCHOOL DISTRICT**

*(Corporation – signatures of two corporate officers required)  
(Partnership or Sole proprietorship – one signature)*

By: \_\_\_\_\_  
Leslie Deese, City Manager

By: \_\_\_\_\_  
(Name)

Paula Jameson-Whitney  
(Print)

Assistant Supt, Educational  
(Title) Services

APPROVED AS TO FORM:

\_\_\_\_\_  
Claudia Gacitua Silva  
City Attorney

By: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Title)

Exhibit A

# National School District Learn to Swim Registration Form



Participant's Full Name (Last, First)

Date of Birth

Address

Primary Phone #

E-mail

Emergency Contact

Relationship

Emergency Phone #

☐

Student

☐

Teacher

## Waiver of Liability and Assumption of Risk

With respect to my child(ren)'s voluntary use of the Las Palmas Pool and its facilities (the "Pool"), managed by MediFit Community Services LLC, I understand that, as a guest of the Pool, there may be health risks associated with activities requiring physical exertion and/or aquatics, including but not limited to: transient dizziness, fainting, nausea, muscle cramping, musculoskeletal injury, sprains and strains, heart attack, stroke, drowning or death. I certify my child(ren) is/are capable of performing the exercises and activities associated with the use of the Pool, and I hereby agree to assume on behalf of myself and my child(ren) all risk of utilizing the Pool. I agree on behalf of myself, my child(ren), our heirs, distributees, guardians, legal representatives, and assigns, (collectively, the "Releasing Party"), to waive, release, discharge, and hold harmless MediFit Community Services LLC ("MediFit"), City of National City ("City"), National School District ("NSD"), and each of their respective subsidiaries, affiliates, directors, officers, employees, agents, volunteers, contractors, and sponsors, and other participants, from any and all claims, liability, damages, suits, losses, or related causes of action for damages, including but not limited to claims that may result from any injury, death, or damage, accidental or otherwise, during, or arising in any way from my child(ren)'s use of the Pool. I hereby agree on behalf of the Releasing Party to indemnify the persons and entities mentioned above from any and all claims, liability, damages, suits, losses, or related causes of action for damages, present or future, which may be incurred as a result of death, injury, or property damage that my child(ren) may sustain while participating in any activities at the Las Palmas Pool facilities. I hereby agree that the Releasing Party will not make a claim against, sue or prosecute MediFit, City, or NSD, including each of their respective subsidiaries, affiliates, directors, officers, employees, agents, volunteers, contractors, and sponsors, for injury, death, or damage arising out of the negligent, intentional, or other acts, howsoever caused, by MediFit, City, or NSD, or their respective subsidiaries, affiliates, directors, officers, employees, agents, volunteers, contractors, sponsors, and other participants, as a result of or related to my child(ren)'s participation in the Pool activities.

I hereby consent that my child(ren) participate in the Pool activities and I hereby execute this Waiver of Liability and Assumption of Risk on behalf of the Releasing Party. I have carefully read this Waiver of Liability and Assumption of Risk and by signing below and on behalf of my minor child(ren), I acknowledge that I fully understand its contents. I am aware that this is a release of liability and a contract between the City of National City and me and I sign it of my free will. I further understand that no medical insurance is provided.

Print Parent's full name: \_\_\_\_\_

Date \_\_\_\_\_

Parent Signature \_\_\_\_\_

White Copy: LPP

Las Palmas Pool • 1800 E 22nd St. • National City • CA • 91950 • 619-336-6758

Yellow Copy: Participant

## Exhibit A

### Las Palmas Pool Policies

Please adhere to the following to assure a pleasant experience for everyone

1. Las Palmas Pool is available at a preferred rate for residents of National City.
2. Photo I.D. and Completion of guest registration is required prior for participation.
3. All patrons under the age of 14 must have direct parent/guardian supervision over the age of 18.
4. Children ages 6 and under must be accompanied in the water by a parent within arm's reach at all times or in a coast guard approved flotation device. Children wearing coast guard approved flotation devices must have a parent directly supervising them at all times.
5. For your safety, all patrons under the age of 18, will be required to complete a swim test\* in order to swim in the deep end. Any patron under the age of 18 who cannot successfully complete the swim test will be required to provide a coast guard approved life jacket if they wish to swim in the deep end. The swim test will consist of the following:
  - 20 meter swim without stopping
  - 1 minute of treading water without stopping
6. Youth ages 14-17 must complete a swim test and Youth Swim orientation/agreement\*.
7. Outside instructors are not allowed. All instruction is to be given only by Las Palmas Pool staff.
8. Disposable swim diapers and plastic pants are required for children under the age of 3 or those who are not toilet trained.
9. Please wear appropriate swim attire. Street clothes are not permitted.
10. Water toys including balls, noodles, etc. are not permitted in the pool
11. For your safety, prolonged breath holding and hypoxic training are not permitted at Las Palmas Pool
12. Lap Lanes are reserved for lap swimming only. During busy hours, sharing lanes and circle swimming will be required.
13. Only US Coast Guard approved flotation devices are permitted in the pool.
14. Families must provide proof of age upon registration for Las Palmas Pool programs.
15. All patrons must shower prior to using the pools. This helps keep the pools clean for everyone.
16. The Las Palmas Pool is a family friendly facility. The following are prohibited on Las Palmas Pool property: Diving, Dangerous jumps, roughhousing, glass of any kind, Alcohol, Animals (unless service-certified), skateboards, profanity, and/or excessive displays of public affection.
17. Please respect our pool equipment and ensure it is used properly and put away after use.
18. The lifeguards are here for your safety and have the final authority. Failure to abide by the Las Palmas Pool policies may result in removal from the pool.
19. Food is only permitted in designated areas and is not permitted in the water.
20. For your safety and the safety of others, any patron believed to be under the influence of drugs or alcohol will be asked to leave the Las Palmas Pool property.
21. Kickboards and pull buoys are for lap swim only.
22. Children ages 5 and older must use their gender specific locker rooms to change. A family changing room is located on the pool deck for your convenience.
23. Please report any suspicious activity or patrons immediately to a Las Palmas Pool staff member.
24. The water slide may only be used under direct supervision from a Las Palmas Pool staff member. Slide riders must abide by the following requirements:
  - All riders must be at least 48 inches tall
  - Slide down feet first on your back
  - Goggles, bathing suits with rivets and life jackets are not permitted on the slide
  - Standing, spinning or other dangerous behavior will not be tolerated.

\*swim tests and youth orientations are offered on certain days/times.

Please check our pool schedule



## EXHIBIT B

Lessons are one hour each, one day a week for four weeks. Pool is available for use on Mondays, Wednesdays, and Fridays. Times are 9:30-10:30, 10:30-11:30, and 11:30-12:30.

ET	Entzminger-Ma	9:30-10:30	8/8	8/15	8/22	8/29
ET	Carrillo	10:30-11:30	8/8	8/15	8/22	8/29
ET	Dang-Hagler	11:30-12:30	8/8	8/15	8/22	8/29
RN	Duenas	9:30-10:30	8/10	8/17	8/24	8/31
RN	Sterner	10:30-11:30	8/10	8/17	8/24	8/31
RN	Gonzalez	9:30-10:30	8/12	8/19	8/26	9/2
RN	Special Ed Gr 3	11:30-12:30	8/10	8/17	8/24	8/31
IH	Clarken	10:30-11:30	8/12	8/19	8/26	9/2
IH	Porter	11:30-12:30	8/12	8/19	8/26	9/2
IH	Sanchez	9:30-10:30	10/10	10/17	10/24	10/31
IH	Camba-Jones	10:30-11:30	10/10	10/17	10/24	10/31
LA	Colangelo	11:30-12:30	10/10	10/17	10/24	10/31
LA	Craven	9:30-10:30	10/5	10/12	10/19	10/26
LA	Eisenbeisz	10:30-11:30	10/5	10/12	10/19	10/26
LA	Special Ed Gr 3	9:30-10:30	10/7	10/14	10/21	10/28
LP	Villavicencio	9:30-10:30	9/12	9/19	9/26	10/3
LP	Jordan	10:30-11:30	9/12	9/19	9/26	10/3
LP	Kahle	9:30-10:30	9/9	9/16	9/23	9/30
LP	Garaicoa	10:30-11:30	9/9	9/16	9/23	9/30
LP	Special Ed Gr 3	9:30-10:30	10/7	10/14	10/21	10/28
KM	Buttall-Maxin	9:30-10:30	9/7	9/14	9/21	9/28
KM	Smith	10:30-11:30	9/7	9/14	9/21	9/28
OW	Reyes	11:30-12:30	9/7	9/14	9/21	9/28
OW	Rosas	11:30-12:30	9/9	9/16	9/23	9/30
OW	Kmet-Moran	11:30-12:30	9/12	9/19	9/26	10/3
OW	Robles-Cho	11:30-12:30	10/5	10/12	10/19	10/26
OT	Hartley	10:30-11:30	10/7	10/14	10/21	10/28
OT	Cortazar	11:30-12:30	10/7	10/14	10/21	10/28
OT	Van	9:30-10:30	11/4	11/18	12/2	12/9
PW	Vo	10:30-11:30	11/4	11/18	12/2	12/9
PW	Peterman	11:30-12:30	11/4	11/18	12/2	12/9
PW	Payumo	9:30-10:30	11/2	11/9	11/16	11/30
PW	Lachi	10:30-11:30	11/2	11/9	11/16	11/30
CN	Howard	9:30-10:30	11/7	11/14	11/28	12/5
CN	Arancibia	10:30-11:30	11/7	11/14	11/28	12/5
CN	Lathers	11:30-12:30	11/7	11/14	11/28	12/5
CN	Dechir	11:30-12:30	11/2	11/9	11/16	11/30
CN	Special Ed Gr 3	11:30-12:30	8/10	8/17	8/24	8/31

# CERTIFICATE OF COVERAGE

Issue Date  
7/21/2016

**ADMINISTRATOR:**  
Keenan & Associates  
901 Calle Amanecer, #200  
San Clemente, CA 92673  
  
949-940-1760  
www.keenan.com

LICENSE # 0451271

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE COVERAGE DOCUMENTS BELOW.

**ENTITIES AFFORDING COVERAGE:**

ENTITY A: Southern California ReLIEF  
ENTITY B: Protected Insurance Program for Schools  
ENTITY C:  
ENTITY D:  
ENTITY E:

**COVERED PARTY:**  
National School District  
1500 N Avenue  
National City CA 91950

THIS IS TO CERTIFY THAT THE COVERAGES LISTED BELOW HAVE BEEN ISSUED TO THE COVERED PARTY NAMED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE COVERAGE AFFORDED HEREIN IS SUBJECT TO ALL THE TERMS AND CONDITIONS OF SUCH COVERAGE DOCUMENTS.

ENT LTR	TYPE OF COVERAGE	COVERAGE DOCUMENTS	EFFECTIVE/ EXPIRATION DATE	MEMBER RETAINED LIMIT / DEDUCTIBLE	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> GOVERNMENT CODES <input checked="" type="checkbox"/> ERRORS & OMISSIONS	SCR 01712-01	7/1/2016 7/1/2017	\$ 5,000	COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 5,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> HIRED AUTO <input checked="" type="checkbox"/> NON-OWNED AUTO <input checked="" type="checkbox"/> GARAGE LIABILITY <input checked="" type="checkbox"/> AUTO PHYSICAL DAMAGE	SCR 01712-01	7/1/2016 7/1/2017	\$ 5,000	COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 1,000,000
A	<b>PROPERTY</b> <input checked="" type="checkbox"/> ALL RISK <input checked="" type="checkbox"/> EXCLUDES EARTHQUAKE & FLOOD <input type="checkbox"/> BUILDER'S RISK	SCR 01712-01	7/1/2016 7/1/2017	\$ 5,000	\$ 250,250,000 EACH OCCURRENCE
A	<b>STUDENT PROFESSIONAL LIABILITY</b>	SCR 01712-01	7/1/2016 7/1/2017	\$ 5,000	\$ Included EACH OCCURRENCE
B	<b>WORKERS COMPENSATION</b> <input checked="" type="checkbox"/> EMPLOYERS' LIABILITY	PIPS4172	7/1/2016 7/1/2017	\$	<input type="checkbox"/> WC STATUTORY LIMITS <input checked="" type="checkbox"/> OTHER \$ 1,000,000 E.L. EACH ACCIDENT
	<b>EXCESS WORKERS COMPENSATION</b> <input type="checkbox"/> EMPLOYERS' LIABILITY			\$	\$ 1,000,000 E.L. DISEASE - EACH EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMITS
	<b>OTHER</b>			\$ \$	

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL PROVISIONS:**

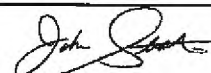
As respects to the use of Las Palmas Swimming Pool facilities.

\$10,000,000 annual aggregate, as required by contract.

**CERTIFICATE HOLDER:**

City of National City  
1243 National City Blvd.  
National City CA 91950-4301

**CANCELLATION.....** SHOULD ANY OF THE ABOVE DESCRIBED COVERAGES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING ENTITY/JPA WILL ENDEAVOR TO MAIL \_\_\_\_\_ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE ENTITY/JPA, ITS AGENTS OR REPRESENTATIVES.



John Stephens

AUTHORIZED REPRESENTATIVE

## DISCLAIMER

The Certificate of Coverage on the reverse side of this form does not constitute a contract between the issuing entity(ies), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the coverage documents listed thereon.

**ENDORSEMENT**

**ADDITIONAL COVERED PARTY**

COVERED PARTY	COVERAGE DOCUMENT	ADMINISTRATOR
National School District	SCR 01712-01	Keenan & Associates

Subject to all its terms, conditions, exclusions, and endorsements, such additional covered party as is afforded by the coverage document shall also apply to the following entity but only as respects to liability arising directly from the actions and activities of the covered party described under "as respects" below.

**Additional Covered Party:**

City of National City  
1243 National City Blvd.  
National City CA 91950-4301

**As Respects:**

As respects to the use of Las Palmas Swimming Pool facilities. \$10,000,000 annual aggregate, as required by contract.

The City of National City, its elected officials, officers, agents, employees, and volunteers are named as Additional Covered Parties.



\_\_\_\_\_  
Authorized Representative

Issue Date: 7/21/2016

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving a salary schedule for the Firefighters Association employee group for fiscal year 2017, effective August 2, 2018, in compliance with the requirements of the California Public Employees

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving a salary schedule for the Firefighters' Association employee group for fiscal year 2017, effective August 2, 2018, in compliance with the requirements of the California Public Employees' Retirement System (CalPERS)

**PREPARED BY:** Stacey Stevenson

**DEPARTMENT:** Human Resources

**PHONE:** 336-4308

**APPROVED BY:** 

**EXPLANATION:**

All employees of the City of National City receive a rate of pay within the established salary range for the job classification into which the employee has been hired. The purpose of this item is to establish the fiscal year 2017 salary schedule for classifications represented by the Firefighters' Association (FFA), effective August 2, 2016.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **MIS**

There is no fiscal impact associated with this action. Personnel costs for employees represented by the FFA are incorporated in the City of National City General Fund budget presented to the City Council for adoption on this same Council agenda.

**ENVIRONMENTAL REVIEW:**

This is not a project and is therefore not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt the resolution approving the Fiscal Year 2017 compensation plan for the Firefighters' Association employee group

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Firefighters' Association Salary Schedule  
Resolution

CITY OF NATIONAL CITY  
**FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE**  
Fiscal Year 2016-2017  
Effective 08/02/2016

Exhibit A

RANGE	DESCRIPTION	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G
<b>F121</b>	<b>FIREFIGHTER</b>							
	Biweekly	2,120.04	2,226.04	2,337.34	2,454.21	2,576.92	2,705.76	2,841.05
	Monthly	4,606.03	4,836.33	5,078.15	5,332.06	5,598.66	5,878.60	6,172.53
	Annual	\$ 55,272.40	\$ 58,036.02	\$ 60,937.82	\$ 63,984.71	\$ 67,183.95	\$ 70,543.14	\$ 74,070.30
	28/dy Pay Period	4,240.07	4,452.08	4,674.68	4,908.41	5,153.84	5,411.53	5,682.10
	40-Hr Week	26.50	27.83	29.22	30.68	32.21	33.82	35.51
	192 Shift	22.08	23.19	24.35	25.56	26.84	28.19	29.59
	216 Shift	19.63	20.61	21.64	22.72	23.86	25.05	26.31
	240 Shift	17.67	18.55	19.48	20.45	21.47	22.55	23.68
	Hourly = Annual/2912	\$ 18.98	\$ 19.93	\$ 20.93	\$ 21.97	\$ 23.07	\$ 24.22	\$ 25.44
<b>F130</b>	<b>FIRE ENGINEER</b>							
	Biweekly	2,718.91	2,854.86	2,997.60	3,147.48	3,304.86		
	Monthly	5,907.16	6,202.52	6,512.65	6,838.28	7,180.20		
	Annual	\$ 70,885.97	\$ 74,430.27	\$ 78,151.79	\$ 82,059.38	\$ 86,162.34		
	28/dy Pay Period	5,437.83	5,709.72	5,995.20	6,294.96	6,609.71		
	40-Hr Week	33.99	35.69	37.47	39.34	41.31		
96	192 Shift	28.32	29.74	31.23	32.79	34.43		
108	216 Shift	25.18	26.43	27.76	29.14	30.60		
120	240 Shift	22.66	23.79	24.98	26.23	27.54		
	Hourly = Annual/2912	\$ 24.34	\$ 25.56	\$ 26.84	\$ 28.18	\$ 29.59		
<b>F140</b>	<b>FIRE CAPTAIN</b>							
	Biweekly	3,166.91	3,325.25	3,491.51	3,666.09	3,849.39		
	Monthly	6,880.48	7,224.51	7,585.73	7,965.02	8,363.27		
	Annual	\$ 82,565.79	\$ 86,694.07	\$ 91,028.78	\$ 95,580.22	\$ 100,359.23		
	28/dy Pay Period	6,333.81	6,650.50	6,983.03	7,332.18	7,698.79		
	40-Hr Week	39.59	41.57	43.64	45.83	48.12		
	192 Shift	32.99	34.64	36.37	38.19	40.10		
	216 Shift	29.32	30.79	32.33	33.95	35.64		
	240 Shift	26.39	27.71	29.10	30.55	32.08		
	Hourly = Annual/2912	\$ 28.35	\$ 29.77	\$ 31.26	\$ 32.82	\$ 34.46		
<b>F140</b>	<b>DEPUTY FIRE MARSHAL</b>							
	Biweekly	3,166.91	3,325.25	3,491.51	3,666.09	3,849.39		
	Monthly	6,880.48	7,224.51	7,585.73	7,965.02	8,363.27		
	Annual	\$ 82,565.79	\$ 86,694.07	\$ 91,028.78	\$ 95,580.22	\$ 100,359.23		
	28/dy Pay Period	6,333.81	6,650.50	6,983.03	7,332.18	7,698.79		
	40-Hr Week	39.59	41.57	43.64	45.83	48.12		
	192 Shift	32.99	34.64	36.37	38.19	40.10		
	216 Shift	29.32	30.79	32.33	33.95	35.64		
	240 Shift	26.39	27.71	29.10	30.55	32.08		
	Hourly = Annual/2912	\$ 28.35	\$ 29.77	\$ 31.26	\$ 32.82	\$ 34.46		
<b>F150</b>	<b>FIRE BATTALION CHIEF</b>							
	Biweekly	3,827.17	4,084.11	4,341.05	4,597.99	4,854.94		
	Monthly	8,314.98	8,873.21	9,431.45	9,989.69	10,547.93		
	Annual	\$ 99,779.72	\$ 106,478.58	\$ 113,177.44	\$ 119,876.30	\$ 126,575.16		
	28/dy Pay Period	7,654.33	8,168.22	8,682.10	9,195.99	9,709.87		
	40-Hr Week	47.84	51.05	54.26	57.47	60.69		
	192 Shift	39.87	42.54	45.22	47.90	50.57		
	216 Shift	35.44	37.82	40.19	42.57	44.95		
	240 Shift	31.89	34.03	36.18	38.32	40.46		
	Hourly = Annual/2912	\$ 34.27	\$ 36.57	\$ 38.87	\$ 41.17	\$ 43.47		

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving a revised salary schedule for the Management employee group for Fiscal Year 2017 in compliance with the requirements of the California Public Employees Retirement System (CalPERS), incr

# CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving a revised salary schedule for the Management employee group for Fiscal Year 2017 in compliance with the requirements of the California Public Employees' Retirement System (CalPERS), increasing the salary bands for Assistant Director of Public Works/Engineering and Police Captain.

**PREPARED BY:** Stacey Stevenson

**DEPARTMENT:** Human Resources

**PHONE:** 336-4308

**APPROVED BY:**



**EXPLANATION:**

The General Fund operating budget approved by the City Council for fiscal year 2017 includes funding for market adjustments for members of the Management employee group. After the City Council adopted the Management group salary schedule for said fiscal year (June 21, 2016) it was determined that the scheduled market adjustments for the Assistant Director of Public Works/Engineering and Police Captain positions would exceed the approved salary bands. With this action, staff requests that the City Council approve the revised salary schedule for the Management employee group increasing the subject bands as follows:

	Current Monthly Band	Proposed Monthly Band
Assistant Director of Public Works/Engineering	\$4,594.04 - \$10,769.99	\$4,594.04 - \$11,846.99
Police Captain	\$5,410.24 - \$12,473.34	\$5,410.24 - \$13,720.67

The market adjustments are less than the proposed band maximum, leaving some room for consideration of future compensation adjustments based on such factors as cost of living, market and budgetary implications.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **MIS**

There is no fiscal impact associated with this action. Personnel costs for Management employee group are incorporated in the City of National City General Fund budget adopted by the City Council at its meeting of June 7, 2016.

**ENVIRONMENTAL REVIEW:**

This is not a project and is therefore not subject to environmental review.

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt the resolution approving the revised Fiscal Year 2017 compensation plan for the Management employee group

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Management Employee Group Salary Schedule  
Resolution

MANAGEMENT EMPLOYEE GROUP SALARY SCHEDULE  
Fiscal Year 2016-2017

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Asst Director of PW/Engineering	\$ 4,594.04 – \$ 11,846.99	\$ 55,128.48 – \$ 142,163.88
Assistant Police Chief	\$ 11,368.50 – \$ 12,742.63	\$ 136,422.00 – \$ 152,911.56
Battalion Chief	\$ 5,316.96 – \$ 10,746.90	\$ 63,803.52 – \$ 128,962.80
Building Official	\$ 7,087.16 – \$ 10,539.12	\$ 85,045.92 – \$ 126,469.44
Community Development Manager	\$ 7,287.50 – \$ 10,047.88	\$ 87,450.00 – \$ 120,574.56
Community Development Specialist III	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Deputy City Attorney	\$ 6,841.11 – \$ 10,033.63	\$ 82,093.32 – \$ 120,403.56
Deputy Director of Human Resources	\$ 7,287.50 – \$ 10,047.88	\$ 87,450.00 – \$ 120,574.56
Equipment Maint Supervisor	\$ 3,229.82 – \$ 8,551.09	\$ 38,757.84 – \$ 102,613.08
Facilities Maint Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88
Financial Services Officer	\$ 4,174.28 – \$ 9,985.04	\$ 50,091.36 – \$ 119,820.48
Housing Programs Manager	\$ 4,255.90 – \$ 9,339.89	\$ 51,070.80 – \$ 112,078.68
Management Analyst I	\$ 3,116.72 – \$ 6,165.46	\$ 37,400.64 – \$ 73,985.52
Management Analyst II	\$ 3,542.31 – \$ 7,006.85	\$ 42,507.72 – \$ 84,082.20
Management Analyst III	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Mgmt Information Systems Manager	\$ 4,279.22 – \$ 10,235.15	\$ 51,350.64 – \$ 122,821.80
Neighborhood Council Coordinator	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Neighborhood Services Manager	\$ 3,229.82 – \$ 8,551.09	\$ 38,757.84 – \$ 102,613.08
Nutrition Program Manager	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Park Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
PIO/Mgmt Analyst III	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Police Captain	\$ 5,410.24 – \$ 13,720.67	\$ 64,922.88 – \$ 164,648.04

MANAGEMENT EMPLOYEE GROUP SALARY SCHEDULE  
Fiscal Year 2016-2017

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Police Support Services Manager	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Principal Civil Engineer	\$ 7,795.88 – \$ 10,539.12	\$ 93,550.56 – \$ 126,469.44
Principal Librarian	\$ 3,766.18 – \$ 8,604.96	\$ 45,194.16 – \$ 103,259.52
Principal Planner	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Project Officer	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Purchasing Agent	\$ 4,255.90 – \$ 9,339.89	\$ 51,070.80 – \$ 112,078.68
Recreation Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Risk Manager	\$ 4,174.28 – \$ 9,981.19	\$ 50,091.36 – \$ 119,774.28
Senior Accountant	\$ 3,264.80 – \$ 7,489.10	\$ 39,177.60 – \$ 89,869.20
Special Assistant to the Mayor	\$ 3,542.31 – \$ 7,006.85	\$ 42,507.72 – \$ 84,082.20
Street Maintenance Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88
Street & Wastewater Maint Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Traffic Engineer	\$ 6,056.20 – \$ 10,235.15	\$ 72,674.40 – \$ 122,821.80
Wastewater Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with t

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees' Retirement System (CalPERS), including a 2% salary adjustment for all Confidential employee group classifications.

**PREPARED BY:** Stacey Stevenson

**DEPARTMENT:** Human Resources

**PHONE:** 336-4308

**APPROVED BY:**



**EXPLANATION:**

See attached staff report

**FINANCIAL STATEMENT:**

**APPROVED:**  **Finance**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

This is not a project and is therefore not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the resolution approving the compensation plan for the Confidential employee group and adopting the fiscal year 2017 Confidential employee group salary schedule.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Staff Report  
Confidential Employee Group Salary Schedule, Fiscal Year 2017  
Resolution



## City Council Staff Report

August 2, 2016

### ITEM

Staff Report: Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees' Retirement System (CalPERS), including a 2% salary adjustment for all Confidential employee group classifications.

### BACKGROUND

The City of National City's Confidential employees are an informal group not formally represented or subject to the terms of collective labor bargaining. This employee group includes the Executive Assistant series, the Management Information Systems Technician series and the Payroll Technician classifications. The last compensation adjustment for said group was approved by the City Council in 2014, including an increase in the retiree health contribution (from \$5 per month to \$10 per month for each year of service), and three percent (3%) retention incentive bonuses in July, 2014 and 2015.

With the City having concluded labor negotiations with the City's three formally recognized bargaining groups (the Firefighters', Municipal Employees' and Police Officers' Associations), the Confidential employee group requested consideration of compensation adjustments for the noted Confidential classifications.

Functionally, the Confidential employee group is most closely aligned with the Municipal Employees' Association (MEA). As such, the MEA compensation plan is typically the internal benchmark for the Confidential employee group, with some deviation primarily intended to provide a "premium" benefit to members of the Confidential group in recognition of their loss of formal representation and bargaining and the rights and privileges associated with such. The terms of the current agreement between the MEA and the City of National City include consideration of both internal market equity and external market factors. The external market factors were determined through a comprehensive total compensation survey with cities within San Diego county serving as the market. The below Confidential employee group compensation recommendations seek to find balance between the goal of consistency with the similar classifications of the MEA employee group and a recognition of the unique nature of Confidential classifications.

Staff Report – Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees’ Retirement System (CalPERS), including a 2% salary adjustment for all Confidential employee group classifications.  
September 2, 2014

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## **DISCUSSION**

As noted above, the MEA compensation plan was based on both internal and external market factors. While external comparisons are important, it is equally important to maintain internal equilibrium. As such, having met and discussed internal and external market factors (MEA compensation and survey market results, respectively) with the Confidential employee group, and having analyzed the internal impact of compensation adjustments (City-wide), staff brings forward for consideration the following adjustments to the Confidential employee group compensation plan:

### Duration

Three years (July 1, 2016 through June 30, 2019)

*NOTE: Council reserves the right to unilaterally adjust the compensation package at any time during the three year period.*

### Retiree Health Benefit

Effective July 1, 2016, Confidential employees who retire after 20 years of service will receive \$20/month for each year of service with the City as the City’s contribution towards medical insurance when the employee retires from CalPERS simultaneously with separating from the City of National City. This benefit shall continue until the retiree qualifies for Medicare.

### Life Insurance

Effective July 1, 2016, the City provides term life insurance of \$25,000 for each employee.

### Health and Dental Insurance

Effective the first full pay period of July 2016, the City shall provide up to \$1,000 for medical and dental benefits. Cash-in-lieu will continue to be available to employees providing proof of coverage under a non-City sponsored health plan. The maximum cash-in lieu will be limited to the difference between \$658.19 and the cost of the employee’s City of National City medical and dental coverage selection.

Staff Report – Resolution of the City Council of the City of National City approving adjustments to the compensation plan for the Confidential employee group; and approving the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees’ Retirement System (CalPERS), including a 2% salary adjustment for all Confidential employee group classifications.  
September 2, 2014

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### Compensation

Three salary increases in the first pay period of each noted month:

- July, 2016: 2% COLA
- July, 2017: 3% market adjustment for the following classifications
  - Executive Assistants I thru IV
  - Payroll Technician
- July, 2018: 2% COLA

All other existing provisions of the Compensation Plan remain the same.

### **RECOMMENDATION**

1. Accept staff’s recommendations and adopt the proposed Compensation Plan for the City of National City Confidential employee group.
2. Approve the salary schedule for the Confidential employee group for fiscal year 2017 in compliance with the requirements of the California Public Employees’ Retirement System (CalPERS)

### **FISCAL IMPACT**

Fiscal Year 2017: \$17,775

Fiscal Year 2018: \$32,399

Fiscal Year 2019: \$49,253

Attachment: Confidential Employee Group Salary Schedule, Fiscal Year 2017

**CITY OF NATIONAL CITY  
CONFIDENTIAL GROUP SALARY SCHEDULE  
Fiscal Year 2016-2017**

**Exhibit A**

TITLE / RANGE		STEP A	STEP B	STEP C	STEP D	STEP E
<b>MIS Technician II c144</b>	BI-WEEKLY	2,701.04	2,836.09	2,977.90	3,126.79	3,283.13
	MONTHLY	5,852.26	6,144.87	6,452.12	6,774.72	7,113.46
	ANNUAL	70,227.11	73,738.46	77,425.38	81,296.65	85,361.49
	HOURLY	33.76	35.45	37.22	39.08	41.04
<b>MIS Technician I c130</b>	BI-WEEKLY	2,372.98	2,491.63	2,616.21	2,747.02	2,884.37
	MONTHLY	5,141.45	5,398.52	5,668.45	5,951.87	6,249.46
	ANNUAL	61,697.40	64,782.27	68,021.38	71,422.45	74,993.57
	HOURLY	29.66	31.15	32.70	34.34	36.05
<b>Executive Assistant IV c115</b>	BI-WEEKLY	2,071.71	2,175.30	2,284.06	2,398.27	2,518.18
	MONTHLY	4,488.71	4,713.15	4,948.80	5,196.24	5,456.05
	ANNUAL	53,864.52	56,557.74	59,385.63	62,354.91	65,472.66
	HOURLY	25.90	27.19	28.55	29.98	31.48
<b>Executive Assistant III c109</b>	BI-WEEKLY	1,962.38	2,060.50	2,163.52	2,271.70	2,385.28
	MONTHLY	4,251.82	4,464.41	4,687.63	4,922.01	5,168.11
	ANNUAL	51,021.79	53,572.88	56,251.52	59,064.10	62,017.30
	HOURLY	24.53	25.76	27.04	28.40	29.82
<b>Executive Assistant II c101</b>	BI-WEEKLY	1,824.74	1,915.98	2,011.78	2,112.37	2,217.98
	MONTHLY	3,953.61	4,151.29	4,358.85	4,576.79	4,805.63
	ANNUAL	47,443.26	49,815.42	52,306.19	54,921.50	57,667.58
	HOURLY	22.81	23.95	25.15	26.40	27.72
<b>Payroll Technician &amp; Confidential Assistant (At-Will) c092</b>	BI-WEEKLY	1,682.67	1,766.80	1,855.14	1,947.90	2,045.29
	MONTHLY	3,645.78	3,828.07	4,019.47	4,220.45	4,431.47
	ANNUAL	43,749.36	45,936.82	48,233.66	50,645.35	53,177.62
	HOURLY	21.03	22.09	23.19	24.35	25.57
<b>Executive Assistant I c087</b>	BI-WEEKLY	1,609.03	1,689.48	1,773.96	1,862.66	1,955.79
	MONTHLY	3,486.24	3,660.55	3,843.57	4,035.75	4,237.54
	ANNUAL	41,834.82	43,926.56	46,122.89	48,429.03	50,850.49
	HOURLY	20.11	21.12	22.17	23.28	24.45

The following page(s) contain the backup material for Agenda Item: Investment transactions for the month ended May 31, 2016. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Investment transactions for the month ended May 31, 2016.

**PREPARED BY:** Ronald Gutlay

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance

**APPROVED BY:** 

**EXPLANATION:**

In accordance with California Government Code Section 53646 and City of National City's investment policy section XIIA, a monthly report shall be submitted to the legislative body accounting for transactions made during the reporting period.

The attached listing reflects investment transactions of the City of National City's investment portfolio for the month ending May 31, 2016.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

NA

**APPROVED:** 

Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Accept and file the Investment Transaction Ledger for the month ended May 31, 2016.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Investment Transaction Ledger



# Transaction Ledger

4/30/16 Thru 5/31/16

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>ACQUISITIONS</b>										
Purchase	05/03/2016	60934N807	1,385.00	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	1,385.00	0.00	1,385.00	0.00
Purchase	05/03/2016	60934N807	240,000.00	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	240,000.00	0.00	240,000.00	0.00
Purchase	05/03/2016	60934N807	0.38	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	0.38	0.00	0.38	0.00
Purchase	05/09/2016	037833AQ3	270,000.00	Apple Inc Note 2.1% Due 5/6/2019	102.566	1.22 %	275,928.20	47.25	276,975.45	0.00
Purchase	05/11/2016	60934N807	2,317.50	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	2,317.50	0.00	2,317.50	0.00
Purchase	05/15/2016	60934N807	2,062.50	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	2,062.50	0.00	2,062.50	0.00
Purchase	05/20/2016	60934N807	3,700.00	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	3,700.00	0.00	3,700.00	0.00
Purchase	05/21/2016	60934N807	1,968.75	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	1,968.75	0.00	1,968.75	0.00
Purchase	05/27/2016	60934N807	8,262.50	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	8,262.50	0.00	8,262.50	0.00
Purchase	05/27/2016	60934N807	375,000.00	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	375,000.00	0.00	375,000.00	0.00
Purchase	05/27/2016	912828UV0	400,000.00	US Treasury Note 1.125% Due 3/31/2020	99.606	1.23 %	398,423.22	700.82	399,124.04	0.00
Purchase	05/31/2016	60934N807	6,153.13	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	6,153.13	0.00	6,153.13	0.00
<b>Subtotal</b>			<b>1,310,849.76</b>				<b>1,316,201.18</b>	<b>748.07</b>	<b>1,316,949.25</b>	<b>0.00</b>
Security Contribution	05/31/2016	90LAIF\$00	1,500,000.00	Local Agency Investment Fund State Pool	1.000		1,500,000.00	0.00	1,500,000.00	0.00
<b>Subtotal</b>			<b>1,500,000.00</b>				<b>1,500,000.00</b>	<b>0.00</b>	<b>1,500,000.00</b>	<b>0.00</b>
Short Sale	05/27/2016	60934N807	-399,124.04	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000		-399,124.04	0.00	-399,124.04	0.00
<b>Subtotal</b>			<b>-399,124.04</b>				<b>-399,124.04</b>	<b>0.00</b>	<b>-399,124.04</b>	<b>0.00</b>
<b>TOTAL ACQUISITIONS</b>			<b>2,411,725.72</b>				<b>2,417,077.14</b>	<b>748.07</b>	<b>2,417,825.21</b>	<b>0.00</b>



# Transaction Ledger

4/30/16 Thru 5/31/16

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>DISPOSITIONS</b>										
Closing Purchase	05/27/2016	60934N807	-399,124.04	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000		-399,124.04	0.00	-399,124.04	0.00
	<b>Subtotal</b>		<b>-399,124.04</b>				<b>-399,124.04</b>	<b>0.00</b>	<b>-399,124.04</b>	<b>0.00</b>
Sale	05/09/2016	60934N807	276,975.45	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	276,975.45	0.00	276,975.45	0.00
Sale	05/27/2016	60934N807	399,124.04	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000	0.01 %	399,124.04	0.00	399,124.04	0.00
	<b>Subtotal</b>		<b>676,099.49</b>				<b>676,099.49</b>	<b>0.00</b>	<b>676,099.49</b>	<b>0.00</b>
Maturity	05/03/2016	037833AH3	240,000.00	Apple Inc Note 0.45% Due 5/3/2016	100.000		240,000.00	0.00	240,000.00	472.80
Maturity	05/27/2016	3137EACT4	375,000.00	FHLMC Note 2.5% Due 5/27/2016	100.000		375,000.00	0.00	375,000.00	-20,804.63
	<b>Subtotal</b>		<b>615,000.00</b>				<b>615,000.00</b>	<b>0.00</b>	<b>615,000.00</b>	<b>-20,331.83</b>
Security Withdrawal	05/05/2016	60934N807	1,841.00	Federated Prime Value Oblig Govt Oblig Fund Inst.	1.000		1,841.00	0.00	1,841.00	0.00
Security Withdrawal	05/31/2016	90SDCP\$00	6,000.00	County of San Diego Pooled Investment Pool	1.000		6,000.00	0.00	6,000.00	0.00
	<b>Subtotal</b>		<b>7,841.00</b>				<b>7,841.00</b>	<b>0.00</b>	<b>7,841.00</b>	<b>0.00</b>
<b>TOTAL DISPOSITIONS</b>			<b>899,816.45</b>				<b>899,816.45</b>	<b>0.00</b>	<b>899,816.45</b>	<b>-20,331.83</b>
<b>OTHER TRANSACTIONS</b>										
Interest	05/03/2016	037833AH3	240,000.00	Apple Inc Note 0.45% Due 5/3/2016	0.000		540.00	0.00	540.00	0.00
Interest	05/03/2016	594918BF0	130,000.00	Microsoft Note 1.3% Due 11/3/2018	0.000		845.00	0.00	845.00	0.00
Interest	05/11/2016	3133EEJ50	450,000.00	FFCB Note 1.03% Due 5/11/2018	0.000		2,317.50	0.00	2,317.50	0.00
Interest	05/15/2016	91159HHD5	250,000.00	US Bancorp Callable Note Cont 4/15/2017 1.65% Due 5/15/2017	0.000		2,062.50	0.00	2,062.50	0.00
Interest	05/20/2016	36962G6K5	270,000.00	General Electric Capital Corp Note 1.6% Due 11/20/2017	0.000		2,160.00	0.00	2,160.00	0.00



## Transaction Ledger

4/30/16 Thru 5/31/16

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
<b>OTHER TRANSACTIONS</b>										
Interest	05/20/2016	747525AG8	220,000.00	Qualcomm Inc Note 1.4% Due 5/18/2018	0.000		1,540.00	0.00	1,540.00	0.00
Interest	05/21/2016	3135G0WJ8	450,000.00	FNMA Note 0.875% Due 5/21/2018	0.000		1,968.75	0.00	1,968.75	0.00
Interest	05/27/2016	3135G0YT4	440,000.00	FNMA Note 1.625% Due 11/27/2018	0.000		3,575.00	0.00	3,575.00	0.00
Interest	05/27/2016	3137EACT4	375,000.00	FHLMC Note 2.5% Due 5/27/2016	0.000		4,687.50	0.00	4,687.50	0.00
Interest	05/31/2016	912828RU6	535,000.00	US Treasury Note 0.875% Due 11/30/2016	0.000		2,340.63	0.00	2,340.63	0.00
Interest	05/31/2016	912828SY7	500,000.00	US Treasury Note 0.625% Due 5/31/2017	0.000		1,562.50	0.00	1,562.50	0.00
Interest	05/31/2016	912828UB4	450,000.00	US Treasury Note 1% Due 11/30/2019	0.000		2,250.00	0.00	2,250.00	0.00
	<b>Subtotal</b>		<b>4,310,000.00</b>				<b>25,849.38</b>	<b>0.00</b>	<b>25,849.38</b>	<b>0.00</b>
Dividend	05/03/2016	60934N807	291,667.84	Federated Prime Value Oblig Govt Oblig Fund Inst.	0.000		0.38	0.00	0.38	0.00
	<b>Subtotal</b>		<b>291,667.84</b>				<b>0.38</b>	<b>0.00</b>	<b>0.33</b>	<b>0.00</b>
<b>TOTAL OTHER TRANSACTIONS</b>			<b>4,601,667.84</b>				<b>25,849.76</b>	<b>0.00</b>	<b>25,849.76</b>	<b>0.00</b>

The following page(s) contain the backup material for Agenda Item: Investment Report for the quarter ended June 30, 2016. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Investment Report for the quarter ended June 30, 2016.

**PREPARED BY:** Ronald Gutlay

**PHONE:** 619-336-4346

**DEPARTMENT:** Finance

**APPROVED BY:**



**EXPLANATION:**

See attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

See attached staff report.

**APPROVED:**



Finance

**APPROVED:**

MIS

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Accept and File the Investment Report for the Quarter ended June 30, 2016.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Staff Report
2. Investment Listings



## City Council Staff Report

August 2, 2016

### ITEM

Staff Report: Investment Report for the quarter ended June 30, 2016.

### BACKGROUND

The California Government Code (§ 53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency's investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§ 53646(b)(2)) requires that the report state the City's compliance with its investment policy and include a statement regarding the ability of the local agency to meet its pool's ability to meet its expenditure requirements Code (§ 53646(b)(3)).

### OVERVIEW OF CITY INVESTMENTS

The City's pooled investment portfolio balance as of June 30, 2016 is summarized below and compared to the balance as of June 30, 2015.

	6/30/2016	6/30/2015
<b>Book Value <sup>1</sup></b>	\$ 64,222,021	\$ 59,622,103
<b>Market Value <sup>2</sup></b>	\$ 64,426,236	\$ 59,514,268

(1) actual cost of investments

(2) amount at which the investments could be sold

The California Treasurer's Local Agency Investment Fund ("LAIF") and The County of San Diego Pooled Money Fund comprise 64.74% of the City of National City's total investment portfolio (56.85% and 7.89%, respectively). These are liquid investment pools that allow participants to earn market rate returns, while retaining access to funds within 24 to 48 hours of a withdrawal request with no penalty. The remainder of the City's portfolio is composed of investments that may be liquidated at any time. However, these investments likely do not

provide the short liquidity (i.e., quick access to funds) of the pooled money funds, and liquidation/withdrawal of these investments is at the risk of loss and/or penalty to the City.

Summaries of the City's investment portfolio are illustrated below.

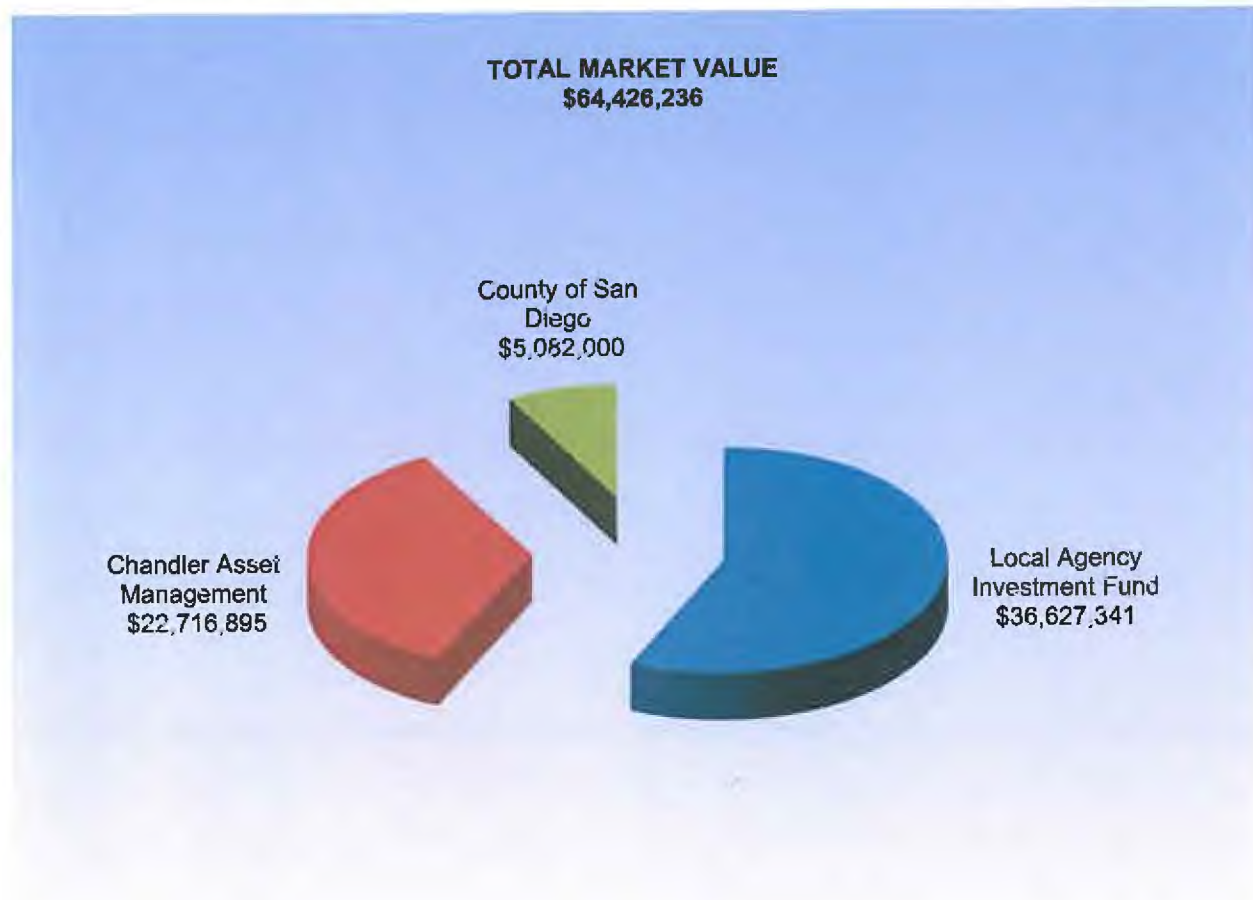
### INVESTMENT PORTFOLIO SUMMARY BY ISSUER/MANAGER

As of June 30, 2016

Issuer/Manager	Book Value	Total Market Value <sup>1</sup>	Market YTM	% of Portfolio
Local Agency Investment Fund	36,556,623	\$ 36,627,341 <sup>2</sup>	0.58%	56.85%
Chandler Asset Management	22,582,633	\$ 22,716,895	0.67%	35.26%
County of San Diego	5,082,765	\$ 5,082,000	0.85%	7.89%
<b>Totals for June 2016</b>	<b>64,222,021</b>	<b>64,426,236</b>		<b>100.00%</b>

1 includes accrued interest

2 calculated on 30/360 basis



**INVESTMENT PERFORMANCE BY ISSUER/MANAGER****For the Quarter Ended June 30, 2016**

Issuer/Manager	Total Market Value <sup>1</sup>			Period Return	Yield (Net) <sup>3</sup>
	3/31/16	6/30/16	Change		
Local Agency Investment Fund	\$ 33,864,099	\$ 36,627,341	\$ 2,763,242 <sup>2</sup>	0.14%	0.55%
Chandler Asset Management	22,613,923	22,716,895	\$ 102,972	1.54%	NA
County of San Diego	5,167,000	5,082,000	\$ (85,000)	0.14%	0.56%
Totals for June 30, 2016	\$ 61,645,022	\$ 64,426,236	\$ 2,781,215	1.82%	1.10%

<sup>1</sup> includes accrued interest<sup>2</sup> Withdrawals 5/20/16 \$1,500,000, Deposits 4/26/2016 \$1,200,000 & 5/24/2016 \$3,000,000<sup>3</sup> Annualized**COMPLIANCE STATEMENT**

All of the City's investments are in compliance with the City's investment policy (City Council Policy No. 203) and the California Government Code (§ 53601 et seq).

**FINANCIAL STATEMENT**

Realized and unrealized gains/(losses) for the period, reflected below, were \$77,340. These changes include changes in security market values, gain/(loss) from the sale of assets, accrued interest, and reinvested interest/earnings.

Issuer/Manager	Gain/(Loss)
Chandler Asset Management	22,269
County of San Diego	7,063
LAIF	48,008
Totals for June 30, 2016	\$ 77,340

The difference between the changes reflected in the previous two tables is attributable to the purchase and sale of securities for which the first of the tables accounts but the second table typically does not (unless an investment is sold before maturity).

**STAFF CERTIFICATION**

Staff certifies that there are sufficient funds to meet the pool's expenditure requirements.

**RECOMMENDATIONS**

Accept and file the Investment Report for the quarter ended June 30, 2016.

Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

July 18, 2016

PMIA Average Monthly Yields

Account Number:

98-37-576

Tran Type Definitions

June 2016 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	36,556,622.92
Total Withdrawal:	0.00	Ending Balance:	36,556,622.92

Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

June 20, 2016

PMIA Average Monthly Yields

Account Number:

98-37-576

Tran Type Definitions

May 2016 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
5/20/2016	5/19/2016	RW	1502240	JAVIER CARCAMO	-1,500,000.00
5/24/2016	5/24/2016	RD	1502473	JAVIER CARCAMO	3,000,000.00

Account Summary

Total Deposit:	3,000,000.00	Beginning Balance:	35,056,622.92
Total Withdrawal:	-1,500,000.00	Ending Balance:	36,556,622.92

**Local Agency Investment Fund**

**P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001**

CITY OF NATIONAL CITY

FINANCE DIRECTOR  
1243 NATIONAL CITY BLVD  
NATIONAL CITY, CA 91950-4397

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)

May 17, 2016

**PMIA Average Monthly Yields**

**Account Number:**

98-37-576

**Tran Type Definitions**

April 2016 Statement

<b>Effective Date</b>	<b>Transaction Date</b>	<b>Tran Type</b>	<b>Confirm Number</b>	<b>Authorized Caller</b>	<b>Amount</b>
4/15/2016	4/14/2016	QRD	1499589	SYSTEM	38,381.68
4/26/2016	4/25/2016	RD	1500552	JAVIER CARCAMO	1,200,000.00

**Account Summary**

Total Deposit:	1,238,381.68	Beginning Balance:	33,818,241.24
Total Withdrawal:	0.00	Ending Balance:	35,056,622.92

## Monthly Account Statement

### City of National City

June 1, 2016 through June 30, 2016

#### Chandler Team

For questions about your account,  
please call (800) 317-4747 or  
Email [operations@chandlerasset.com](mailto:operations@chandlerasset.com)

#### Custodian

Bank of New York Mellon  
Lauren Dehner  
(904)645-1918

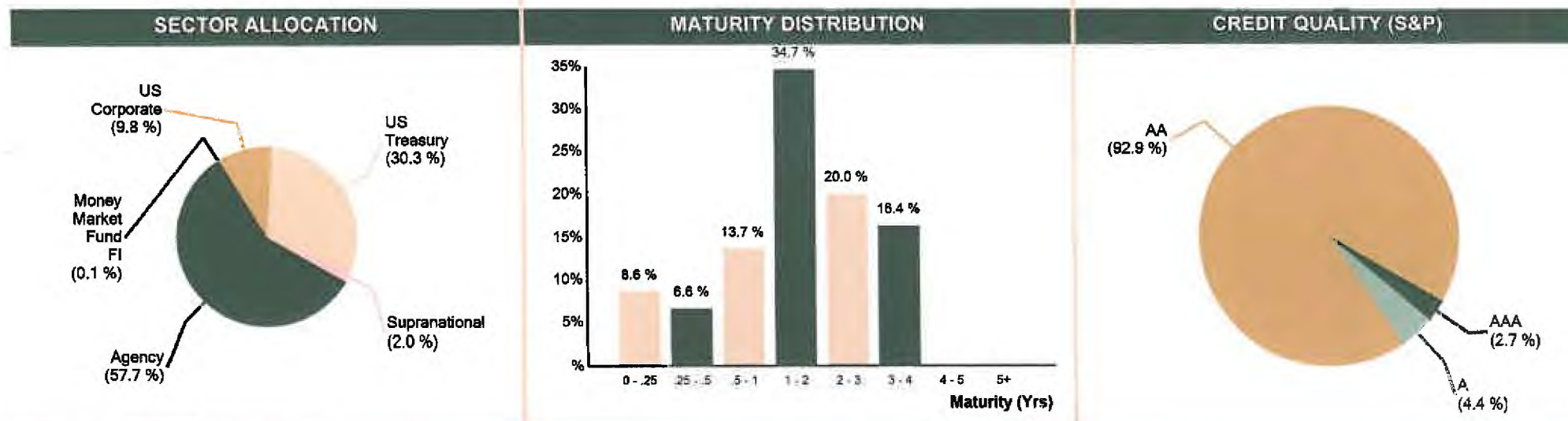
***Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Prices are provided by IDC, an independent pricing source.***



## Portfolio Summary

As of 6/30/2016

PORTFOLIO CHARACTERISTICS		ACCOUNT SUMMARY			TOP ISSUERS	
Average Duration	1.71		Beg. Values as of 5/31/16	End Values as of 6/30/16	Issuer	% Portfolio
Average Coupon	1.19 %	Market Value	22,534,635	22,652,873	Government of United States	30.3 %
Average Purchase YTM	1.07 %	Accrued Interest	62,082	64,022	Federal Home Loan Mortgage Corp	17.3 %
Average Market YTM	0.67 %	Total Market Value	22,596,717	22,716,895	Federal National Mortgage Assoc	16.9 %
Average S&P/Moody Rating	AA+/Aaa	Income Earned	22,678	22,269	Federal Home Loan Bank	13.1 %
Average Final Maturity	1.74 yrs	Cont/WD		-1,841	Federal Farm Credit Bank	10.3 %
Average Life	1.74 yrs	Par	22,473,192	22,491,681	Intl Bank Recon and Development	2.0 %
		Book Value	22,564,145	22,582,633	Berkshire Hathaway	1.3 %
		Cost Value	22,564,145	22,582,633	Apple Inc	1.2 %
						92.5 %



PERFORMANCE REVIEW									
Total Rate of Return As of 6/30/2016	Current Month	Latest 3 Months	Year To Date	1 Yr	Annualized			Since 2/29/2012	Since 2/29/2012
City of National City	0.54 %	0.48 %	1.54 %	1.56 %	1.07 %	N/A	N/A	0.84 %	3.70 %
BAML 1-3 Yr US Treasury/Agency Index	0.59 %	0.52 %	1.42 %	1.31 %	0.99 %	N/A	N/A	0.79 %	3.49 %



## City of National City

June 30, 2016

### COMPLIANCE WITH INVESTMENT POLICY

*Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.*

Category	Standard	Comment
Municipal Securities	BBB rated equivalent by a NRSRO or 4th highest general classification by a NRSRO; 30% maximum	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Supranationals	"AA" rated or higher by a NRSRO; 30% maximum; U.S. dollar denominated; Issued by: IBRD, IFC, IADB	Complies
Banker's Acceptances	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 40% maximum; 180 days max maturity;	Complies
Commercial Paper*	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 25% maximum; 270 days max maturity;	Complies
FDIC insured Time Deposits/ Certificates of Deposit	Amount per institution limited to the max covered under FDIC; 30% maximum combined certificates of deposit including CDARS	Complies
Negotiable Certificates of Deposit*	"A" rated or higher by at least two NRSROs; and/or have short term debt rated "A1" or higher by at least two NRSROs; 30% maximum	Complies
Medium Term Notes*	"A" rated or better by at least two NRSROs; 30% maximum; Issued by corporations organized and operating within the U.S.	Complies
*Combined exposure	10% combined total exposure to Commercial Paper, Negotiable Certificates of Deposit, and Medium Term Notes	Complies
Money Market Mutual Funds	AAA rated or equivalent by at least two NRSROs; 20% maximum; SEC registered with assets under management in excess of \$500 million	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	"AA" rated or better by two NRSROs; "A" rated or higher for the issuer's debt by two NRSROs; 20% maximum	Complies
Local Agency Investment Fund - L.A.I.F.	maximum LAIF program; Currently not used by investment adviser	Complies
Prohibited Securities	Inverse floaters; Ranges notes; Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements; Foreign currency denominated sec	Complies
Callable Securities	20% maximum (does not include "make whole call" securities)	Complies
Maximum Issuer	5% max (except US Government, its agencies and enterprises)	Complies
Maximum maturity	5 years	Complies



Income Earned  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
<b>Fixed Income</b>						
037833AQ3	Apple Inc Note 2.1% Due 05/06/2019	05/04/2016 05/09/2016 270,000.00	276,928.20 0.00 0.00 276,928.20	393.75 0.00 866.25 472.50	0.00 0.00 0.00 472.50	0.00 0.00 0.00 472.50
084670BD9	Berkshire Hathaway Note 1.9% Due 01/31/2017	06/17/2014 06/20/2014 285,000.00	291,429.60 0.00 0.00 291,429.60	1,820.04 0.00 2,271.29 451.25	0.00 0.00 0.00 451.25	0.00 0.00 0.00 451.25
166764AA8	Chevron Corp Callable Note Cont 11/5/17 1.104% Due 12/05/2017	05/19/2014 05/22/2014 260,000.00	259,703.60 0.00 0.00 259,703.60	1,403.31 1,435.20 207.31 239.20	0.00 0.00 0.00 239.20	0.00 0.00 0.00 239.20
3130A4GJ5	FHLB Note 1.125% Due 04/25/2018	Various Various 450,000.00	451,689.00 0.00 0.00 451,689.00	506.25 0.00 928.13 421.88	0.00 0.00 0.00 421.88	0.00 0.00 0.00 421.88
31331V3Z7	FFCB Note 5.2% Due 09/15/2016	06/22/2012 06/25/2012 365,000.00	430,134.25 0.00 0.00 430,134.25	4,036.89 0.00 5,588.56 1,581.67	0.00 0.00 0.00 1,581.67	0.00 0.00 0.00 1,581.67
313371PV2	FHLB Note 1.625% Due 12/09/2016	02/29/2012 03/01/2012 480,000.00	494,668.80 0.00 0.00 494,668.80	3,726.67 3,900.00 476.67 650.00	0.00 0.00 0.00 650.00	0.00 0.00 0.00 650.00
3133782M2	FHLB Note 1.5% Due 03/08/2019	05/28/2015 05/29/2015 440,000.00	443,207.60 0.00 0.00 443,207.60	1,521.67 0.00 2,071.67 550.00	0.00 0.00 0.00 550.00	0.00 0.00 0.00 550.00
313378A43	FHLB Note 1.375% Due 03/09/2018	09/17/2013 09/18/2013 470,000.00	464,472.80 0.00 0.00 464,472.80	1,472.01 0.00 2,010.56 538.55	0.00 0.00 0.00 538.55	0.00 0.00 0.00 538.55
313379DD8	FHLB Note 1% Due 06/21/2017	03/14/2014 03/17/2014 565,000.00	566,553.75 0.00 0.00 566,553.75	2,511.11 2,825.00 156.94 470.83	0.00 0.00 0.00 470.83	0.00 0.00 0.00 470.83
313380FB8	FHLB Note 1.375% Due 09/13/2019	Various Various 540,000.00	536,816.60 0.00 0.00 536,816.60	1,608.75 0.00 2,227.50 618.75	0.00 0.00 0.00 618.75	0.00 0.00 0.00 618.75



Income Earned  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
3133EEJ50	FFCB Note 1.03% Due 05/11/2018	05/05/2015 05/11/2015 450,000.00	449,145.00 0.00 0.00 449,145.00	257.50 0.00 643.75 386.25	0.00 0.00 0.00 386.25	0.00 0.00 386.25
3133EFAN7	FFCB Note 0.75% Due 04/24/2017	09/23/2015 09/24/2015 550,000.00	551,045.00 0.00 0.00 551,045.00	423.96 0.00 767.71 343.75	0.00 0.00 0.00 343.75	0.00 0.00 343.75
3133EFSJ7	FFCB Note 1.3% Due 12/14/2018	12/10/2015 12/14/2015 550,000.00	549,279.50 0.00 0.00 549,279.50	3,316.81 3,575.00 337.64 595.83	0.00 0.00 0.00 595.83	0.00 0.00 595.83
3133EFW52	FFCB Note 1.15% Due 07/01/2019	04/08/2016 04/11/2016 400,000.00	401,956.00 0.00 0.00 401,956.00	766.67 0.00 1,150.00 383.33	0.00 0.00 0.00 383.33	0.00 0.00 383.33
3135G0D75	FNMA Note 1.5% Due 06/22/2020	12/17/2015 12/21/2015 575,000.00	568,778.50 0.00 0.00 568,778.50	3,809.38 4,312.50 215.63 718.75	0.00 0.00 0.00 718.75	0.00 0.00 718.75
3135G0E33	FNMA Note 1.125% Due 07/20/2018	Various Various 450,000.00	449,689.56 0.00 0.00 449,689.56	1,842.19 0.00 2,264.06 421.87	0.00 0.00 0.00 421.87	0.00 0.00 421.87
3135G0GY3	FNMA Note 1.25% Due 01/30/2017	09/17/2012 09/18/2012 400,000.00	409,328.00 0.00 0.00 409,328.00	1,680.56 0.00 2,097.22 416.66	0.00 0.00 0.00 416.66	0.00 0.00 416.66
3135G0MZ3	FNMA Note 0.875% Due 08/28/2017	08/15/2013 08/20/2013 545,000.00	535,429.80 0.00 0.00 535,429.80	1,231.93 0.00 1,629.32 397.39	0.00 0.00 0.00 397.39	0.00 0.00 397.39
3135G0RT2	FNMA Note 0.875% Due 12/20/2017	07/31/2015 07/31/2015 350,000.00	350,044.80 0.00 0.00 350,044.80	1,369.62 1,531.25 93.58 255.21	0.00 0.00 0.00 255.21	0.00 0.00 255.21
3135G0TG8	FNMA Note 0.875% Due 02/08/2018	12/11/2013 12/12/2013 590,000.00	579,757.60 0.00 0.00 579,757.60	1,620.45 0.00 2,050.66 430.21	0.00 0.00 0.00 430.21	0.00 0.00 430.21
3135G0WJ8	FNMA Note 0.875% Due 05/21/2018	05/05/2015 05/06/2015 450,000.00	447,472.80 0.00 0.00 447,472.80	109.38 0.00 437.50 328.12	0.00 0.00 0.00 328.12	0.00 0.00 328.12



Income Earned  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
3135G0YT4	FNMA Note 1.625% Due 11/27/2018	08/31/2015 08/31/2015 440,000.00	446,141.96 0.00 0.00 446,141.96	79.44 0.00 675.28 595.84	0.00 0.00 0.00 595.84	0.00 0.00 0.00 595.84
3137EACW7	FHLMC Note 2% Due 08/25/2016	01/09/2013 01/10/2013 575,000.00	604,762.00 0.00 0.00 604,762.00	3,066.67 0.00 4,025.00 958.33	0.00 0.00 0.00 958.33	0.00 0.00 0.00 958.33
3137EADC0	FHLMC Note 1% Due 03/08/2017	08/20/2012 08/21/2012 535,000.00	538,386.55 0.00 0.00 538,386.55	1,233.47 0.00 1,679.31 445.84	0.00 0.00 0.00 445.84	0.00 0.00 0.00 445.84
3137EADK2	FHLMC Note 1.25% Due 08/01/2019	05/05/2015 05/06/2015 450,000.00	446,149.35 0.00 0.00 446,149.35	1,875.00 0.00 2,343.75 468.75	0.00 0.00 0.00 468.75	0.00 0.00 0.00 468.75
3137EADL0	FHLMC Note 1% Due 09/29/2017	09/23/2015 09/24/2015 525,000.00	527,709.00 0.00 0.00 527,709.00	904.17 0.00 1,341.67 437.50	0.00 0.00 0.00 437.50	0.00 0.00 0.00 437.50
3137EADM8	FHLMC Note 1.25% Due 10/02/2019	05/05/2015 05/06/2015 450,000.00	444,822.75 0.00 0.00 444,822.75	921.88 0.00 1,390.63 468.75	0.00 0.00 0.00 468.75	0.00 0.00 0.00 468.75
3137EADN6	FHLMC Note 0.75% Due 01/12/2018	07/28/2014 07/29/2014 490,000.00	480,954.59 0.00 0.00 480,954.59	1,418.96 0.00 1,725.21 306.25	0.00 0.00 0.00 306.25	0.00 0.00 0.00 306.25
3137EADP1	FHLMC Note 0.875% Due 03/07/2018	02/26/2015 02/27/2015 400,000.00	397,552.00 0.00 0.00 397,552.00	816.67 0.00 1,108.33 291.66	0.00 0.00 0.00 291.66	0.00 0.00 0.00 291.66
3137EADS5	FHLMC Note 0.875% Due 10/14/2016	11/14/2013 11/15/2013 480,000.00	483,316.80 0.00 0.00 483,316.80	548.33 0.00 898.33 350.00	0.00 0.00 0.00 350.00	0.00 0.00 0.00 350.00
36962G6K5	General Electric Capital Corp Note 1.6% Due 11/20/2017	11/24/2014 11/28/2014 270,000.00	272,208.60 0.00 0.00 272,208.60	132.00 0.00 492.00 360.00	0.00 0.00 0.00 360.00	0.00 0.00 0.00 360.00
459058ER0	Intl. Bank Recon & Development Note 1% Due 10/05/2018	03/30/2016 03/31/2016 450,000.00	449,667.00 0.00 0.00 449,667.00	700.00 0.00 1,075.00 375.00	0.00 0.00 0.00 375.00	0.00 0.00 0.00 375.00



Income Earned  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
594918BF0	Microsoft Note 1.3% Due 11/03/2018	10/29/2015 11/03/2015 130,000.00	129,870.00 0.00 0.00 129,870.00	131.44 0.00 272.28 140.84	0.00 0.00 0.00 140.84	0.00 140.84
747525AG8	Qualcomm Inc Note 1.4% Due 05/18/2018	06/16/2015 06/19/2015 220,000.00	219,205.80 0.00 0.00 219,205.80	94.11 0.00 350.78 256.67	0.00 0.00 0.00 256.67	0.00 256.67
808513AK1	Charles Schwab Corp Callable Note Cont 2/10/2018 1.5% Due 03/10/2018	04/07/2015 04/10/2015 250,000.00	251,547.50 0.00 0.00 251,547.50	843.75 0.00 1,156.25 312.50	0.00 0.00 0.00 312.50	0.00 312.50
91159HHD5	US Bancorp Callable Note Cont 4/15/2017 1.65% Due 05/15/2017	05/19/2014 05/22/2014 250,000.00	254,227.50 0.00 0.00 254,227.50	183.33 0.00 527.08 343.75	0.00 0.00 0.00 343.75	0.00 343.75
912828L40	US Treasury Note 1% Due 09/15/2018	10/29/2015 11/02/2015 450,000.00	449,667.52 0.00 0.00 449,667.52	953.80 0.00 1,320.65 366.85	0.00 0.00 0.00 366.85	0.00 366.85
912828RF9	US Treasury Note 1% Due 08/31/2016	10/12/2012 10/15/2012 570,000.00	581,357.38 0.00 0.00 581,357.38	1,440.49 0.00 1,905.16 464.67	0.00 0.00 0.00 464.67	0.00 464.67
912828RU6	US Treasury Note 0.875% Due 11/30/2016	01/28/2016 01/29/2016 535,000.00	536,151.21 0.00 0.00 536,151.21	12.79 0.00 396.50 383.71	0.00 0.00 0.00 383.71	0.00 383.71
912828SD3	US Treasury Note 1.25% Due 01/31/2019	04/29/2015 04/30/2015 400,000.00	401,095.09 0.00 0.00 401,095.09	1,675.82 0.00 2,087.91 412.09	0.00 0.00 0.00 412.09	0.00 412.09
912828ST8	US Treasury Note 1.25% Due 04/30/2019	Various Various 450,000.00	449,676.31 0.00 0.00 449,676.31	489.14 0.00 947.70 458.56	0.00 0.00 0.00 458.56	0.00 458.56
912828SY7	US Treasury Note 0.625% Due 05/31/2017	03/14/2014 03/17/2014 500,000.00	496,290.74 0.00 0.00 496,290.74	8.54 0.00 264.69 256.15	0.00 0.00 0.00 256.15	0.00 256.15
912828TH3	US Treasury Note 0.875% Due 07/31/2019	03/30/2016 03/31/2016 400,000.00	398,204.46 0.00 0.00 398,204.46	1,173.08 0.00 1,461.54 288.46	0.00 0.00 0.00 288.46	0.00 288.46



Income Earned  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
912828TW0	US Treasury Note 0.75% Due 10/31/2017	02/16/2016 02/17/2016 500,000.00	500,138.39 0.00 0.00 500,138.39	326.09 0.00 631.79 305.70	0.00 0.00 0.00 305.70	0.00 0.00 0.00 305.70
912828UB4	US Treasury Note 1% Due 11/30/2019	10/29/2015 11/02/2015 450,000.00	443,181.20 0.00 0.00 443,181.20	12.30 0.00 381.15 368.85	0.00 0.00 0.00 368.85	0.00 0.00 0.00 368.85
912828UU2	US Treasury Note 0.75% Due 03/31/2018	09/03/2014 09/04/2014 520,000.00	510,637.68 0.00 0.00 510,637.68	660.66 0.00 980.33 319.67	0.00 0.00 0.00 319.67	0.00 0.00 0.00 319.67
912828UV0	US Treasury Note 1.125% Due 03/31/2020	05/25/2016 05/27/2016 400,000.00	398,423.22 0.00 0.00 398,423.22	762.30 0.00 1,131.15 368.85	0.00 0.00 0.00 368.85	0.00 0.00 0.00 368.85
912828UZ1	US Treasury Note 0.625% Due 04/30/2018	Various Various 415,000.00	411,180.30 0.00 0.00 411,180.30	225.54 0.00 436.99 211.45	0.00 0.00 0.00 211.45	0.00 0.00 0.00 211.45
912828VK3	US Treasury Note 1.375% Due 06/30/2018	02/26/2015 02/27/2015 400,000.00	402,954.47 0.00 0.00 402,954.47	2,311.81 2,750.00 14.85 453.14	0.00 0.00 0.00 453.14	0.00 0.00 0.00 453.14
912828WX4	US Treasury Note 0.5% Due 07/31/2016	11/16/2015 11/17/2015 400,000.00	400,016.97 0.00 0.00 400,016.97	670.33 0.00 835.16 164.83	0.00 0.00 0.00 164.83	0.00 0.00 0.00 164.83
912828XK1	US Treasury Note 0.875% Due 07/15/2018	07/31/2015 07/31/2015 450,000.00	448,560.10 0.00 0.00 448,560.10	1,492.79 0.00 1,817.31 324.52	0.00 0.00 0.00 324.52	0.00 0.00 0.00 324.52
94974BFG0	Wells Fargo Corp Note 1.5% Due 01/16/2018	11/24/2014 11/28/2014 270,000.00	269,365.50 0.00 0.00 269,365.50	1,518.75 0.00 1,856.25 337.50	0.00 0.00 0.00 337.50	0.00 0.00 0.00 337.50
			22,550,952.70 0.00 0.00	62,082.35 20,328.95 64,022.08	0.00 0.00 0.00	0.00 0.00 0.00
<b>TOTAL Fixed Income</b>		<b>22,460,000.00</b>	<b>22,550,952.70</b>	<b>22,268.68</b>	<b>22,268.68</b>	<b>22,268.68</b>



**Income Earned**  
5/31/16 Thru 6/30/16

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
<b>Cash &amp; Equivalent</b>						
60934N807	Federated Prime Value Oblig Govt Oblig Fund Inst.		13,192.11	0.00	0.00	
		Various	20,329.53	0.58	0.00	
		Various	1,841.00	0.00	0.00	0.00
		31,680.64	31,680.64	0.58	0.58	0.58
			13,192.11	0.00	0.00	
			20,329.53	0.58	0.00	
			1,841.00	0.00	0.00	0.00
<b>TOTAL Cash &amp; Equivalent</b>		<b>31,680.64</b>	<b>31,680.64</b>	<b>0.58</b>	<b>0.58</b>	<b>0.58</b>
			22,564,144.81	62,082.35	0.00	
			20,329.53	20,329.53	0.00	
			1,841.00	64,022.08	0.00	0.00
<b>TOTAL PORTFOLIO</b>		<b>22,491,680.64</b>	<b>22,582,633.34</b>	<b>22,269.26</b>	<b>22,269.26</b>	<b>22,269.26</b>



COUNTY OF SAN DIEGO INVESTMENT POOL  
**TREASURY INVESTMENT RESULTS**

**JUNE**  
**2016**

County of San Diego Treasurer-Tax Collector | 1600 Pacific Hwy, San Diego, CA 92101 | [www.sdtreastax.com](http://www.sdtreastax.com)

# SUMMARY PORTFOLIO STATISTICS

## County of San Diego Pooled Money Fund As of June 30, 2016

	Par Value	Book Value	Market Value	% of Portfolio	Market Price	WAM	WAC	YTM	YTW	Accrued Interest	Unrealized Gain/Loss
Asset Backed Securities	48,000,000	47,998,614	48,142,180	0.55	100.296	1,000	0	1.178	1.178	24,902	143,566
CDARS	10,000,000	10,000,000	10,000,000	0.12	100.000	143	0	0.421	0.421	2,137	0
Collateralized CDs	45,000,000	45,000,000	45,000,000	0.52	100.000	156	0	0.593	0.593	10,194	0
Commercial Paper Disc	2,143,000,000	2,139,780,964	2,134,984,663	24.63	99.626	72	0	0.778	0.778	0	(4,796,301)
FDIC CDs	849,500	849,500	849,500	0.01	100.000	65	0	0.389	0.389	611	0
Federal Agency - Step Up	175,000,000	175,000,000	175,170,500	2.01	100.097	1,579	52	2.074	1.906	856,805	170,500
Federal Agency Amer Callable	50,000,000	50,000,000	50,071,750	0.57	100.144	990	170	1.290	1.290	190,861	71,750
Federal Agency Bern Callable	319,535,000	319,472,542	319,703,021	3.68	100.053	731	62	1.090	1.090	527,262	230,479
Federal Agency Coupon Securities	1,260,900,000	1,266,312,061	1,272,760,976	14.58	100.963	504	119	0.944	0.944	3,604,566	6,448,915
Federal Agency Euro Callable	281,013,000	281,011,163	281,440,907	3.23	100.152	743	207	1.066	1.066	676,828	429,743
Money Market Accounts	478,017,000	478,017,000	478,157,000	5.50	100.032	1	0	0.198	0.198	44,878	140,000
Negotiable CDs	2,575,000,000	2,575,000,464	2,575,000,000	29.64	100.000	88	0	0.793	0.793	5,957,469	(464)
Repurchase Agreements	2,302,212	2,302,212	2,302,212	0.03	100.000	1	0	0.010	0.010	1	0
Supranational Callable	100,000,000	100,000,000	100,342,750	1.15	100.343	1,294	299	1.125	1.125	228,903	342,750
Supranationals	298,734,000	298,968,472	299,802,222	3.44	100.358	366	0	0.869	0.869	784,916	833,750
Treasury Coupon Securities	892,000,000	898,146,571	904,535,600	10.34	101.410	685	0	0.924	0.924	2,376,850	6,389,029
<b>Totals for June 2016</b>	<b>8,879,350,712</b>	<b>8,887,859,563</b>	<b>8,898,263,281</b>	<b>100.00</b>	<b>100.217</b>	<b>310</b>	<b>125</b>	<b>0.848</b>	<b>0.844</b>	<b>15,287,183</b>	<b>10,403,717</b>
<b>Totals for May 2016</b>	<b>9,306,783,147</b>	<b>9,313,420,217</b>	<b>9,313,089,183</b>	<b>100.00</b>	<b>100.075</b>	<b>273</b>	<b>93</b>	<b>0.787</b>	<b>0.781</b>	<b>15,918,302</b>	<b>(331,034)</b>
<b>Change From Prior Month</b>	<b>(626,432,434)</b>	<b>(625,560,654)</b>	<b>(614,825,902)</b>		<b>0.142</b>	<b>37</b>	<b>32</b>	<b>0.061</b>	<b>0.063</b>	<b>(631,119.56)</b>	<b>10,734,751</b>
<b>Portfolio Effective Duration</b>	<b>0.65 years</b>										

	June		Fiscal Year		Calendar Year	
	Return	Annualized	To Date	Annualized	To Date	Annualized
Book Value	0.067%	0.818%	0.067%	0.819%	0.355%	0.712%
Market Value	0.067%	0.818%	0.067%	0.818%	0.355%	0.712%

### Notes

Yield to maturity (YTM) is the estimated rate of return on a bond given its purchase price, assuming all coupon payments are made on a timely basis and reinvested at this same rate of return to the maturity date.

Yield to call (YTC) is the estimated rate of return on a bond given its purchase price, assuming all coupon payments are made on a timely basis and reinvested at this same rate of return to the call date.

Yield to worst (YTW) is the lesser of yield to maturity or yield to call, reflecting the optionality of the bond issuer.

Yields for the portfolio are aggregated based on the book value of each security.

\* All investments held during the month of June 2016 were in compliance with the Investment Policy dated January 1, 2016.

ORGL0046

## COSD General Ledger Activity Report

Run Date: 07/18/16 15:46:02  
Page: 1 of 2

Report Parameters :

Currency : USD  
Fund Low : 44077  
Fund High : 44077  
Org Low :  
Org High :  
Dept :  
Account Low :  
Account High :  
Period : JUN-16  
Balance Type : Actual

ORGL0046

COSD General Ledger Activity Report  
Period JUN-16Run Date 07/18/16 15:46:02  
Page: 2 of 2

Org	SOURCE	CATEGORY	NAME	DESCRIPTION	LINE ITEM	SOURCE ITEM GL DATE	DEBITS	CREDITS
FUND : 44077	NATIONAL CITY INVESTMENT FUND							
ACCOUNT : 10100	CASH IN TREASURY							
						Beginning Balance :	5,082,764.62	
						Total :		
						Ending Balance :	0.00	0.00
							5,082,764.62	
ACCOUNT : 34100	FUND BALANCE AVAILABLE - ACTUAL BASIS					Beginning Balance :		5,060,859.16
						Total :		
						Ending Balance :	0.00	0.00
								5,060,859.16
ACCOUNT : 80160	INTEREST RECEIPTS					Beginning Balance :		21,905.46
						Total :		
						Ending Balance :	0.00	0.00
								21,905.46
						Grand Total :	0.00	0.00

The following page(s) contain the backup material for Agenda Item: Warrant Register #48 for the period of 05/25/16 through 05/31/16 in the amount of \$589,818.81. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Warrant Register #48 for the period of 05/25/16 through 05/31/16 in the amount of \$589,818.81.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 05/25/16 through 05/31/16.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Arlene Crisostomo Weeks	323577	92,322.90	Refund: T&A 90098; 905 E 8 <sup>th</sup> St
EsGil Corporation	323604	76,665.49	Plan Check Svcs & Inspections/Building
Health Net Inc	323620	71,947.40	Health Ins R1192A / June 2016
Kaiser Foundation	323627	189,369.30	Insurance Active – June 2016
Law Office of William E O'Neil	323633	57,500.00	Liability Claim Cost

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Reimbursement total \$589,818.81

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Ratification of warrants in the mount of \$589,818.81

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #48



**WARRANT REGISTER #48**  
**5/31/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
GACITUA SILVA, C	REIMB / LOC CITY ATTORNEY'S CONFERENCE	323574	5/26/16	576.73
ACEDO, I	RETIREE HEALTH BENEFITS/JUNE 2016	323575	5/31/16	160.00
ANDERSON	RETIREE HEALTH BENEFITS/JUNE 2016	323576	5/31/16	110.00
ARLENE CRISOSTOMO WEEKS	REFUND: T&A 90098; 905 E 8TH ST	323577	5/31/16	92,322.90
ARLENE CRISOSTOMO WEEKS	REFUND: T&A 90098; 905 E 8TH ST	323578	5/31/16	427.32
BEARD, P	RETIREE HEALTH BENEFITS/JUNE 2016	323579	5/31/16	70.00
BECK, L	RETIREE HEALTH BENEFITS/JUNE 2016	323580	5/31/16	140.00
BISHOP, R	RETIREE HEALTH BENEFITS/JUNE 2016	323581	5/31/16	110.00
BOEGLER, C	RETIREE HEALTH BENEFITS/JUNE 2016	323582	5/31/16	260.00
BOYD JR, P	RETIREE HEALTH BENEFITS/JUNE 2016	323583	5/31/16	145.00
C A P F	FIRE LTD / JUNE 2016	323584	5/31/16	780.00
CAHN	TUITION: CAHN SO REGION TRAINING / PD	323585	5/31/16	25.00
CALIFORNIA LAW ENFORCEMENT	PD LTD / JUNE 2016	323586	5/31/16	2,107.00
CARRILLO, R	RETIREE HEALTH BENEFITS/JUNE 2016	323587	5/31/16	290.00
CAVENAUGH & ASSOCIATES	TUITION: DUI SEMINAR / PD	323588	5/31/16	558.00
CITY OF ESCONDIDO	TUITION: FIREARMS ARMORER / PD	323589	5/31/16	450.00
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT/MAR 2016	323590	5/31/16	926.70
COLE, L	RETIREE HEALTH BENEFITS/JUNE 2016	323591	5/31/16	165.00
CONDON, D	RETIREE HEALTH BENEFITS/JUNE 2016	323592	5/31/16	280.00
CORPUZ, T	RETIREE HEALTH BENEFITS/JUNE 2016	323593	5/31/16	140.00
DANESHFAR, Z	RETIREE HEALTH BENEFITS/JUNE 2016	323594	5/31/16	250.00
DAY WIRELESS SYSTEMS	RADIO MAINTENANCE / FIRE	323595	5/31/16	843.75
DELTA DENTAL	DENTAL INS PREMIER / JUNE 2016	323596	5/31/16	15,927.42
DELTA DENTAL	COBRA DENTAL INS / APRIL 2016	323597	5/31/16	178.98
DELTA DENTAL INSURANCE CO	PMI DENTAL INS / JUNE 2016	323598	5/31/16	2,671.68
DESROCHERS, P	RETIREE HEALTH BENEFITS/JUNE 2016	323599	5/31/16	110.00
DI CERCHIO, A	RETIREE HEALTH BENEFITS/JUNE 2016	323600	5/31/16	70.00
DILLARD, S	RETIREE HEALTH BENEFITS/JUNE 2016	323601	5/31/16	480.00
DREDGE, J	RETIREE HEALTH BENEFITS/JUNE 2016	323602	5/31/16	250.00
EISER III, G	RETIREE HEALTH BENEFITS/JUNE 2016	323603	5/31/16	250.00
ESGIL CORPORATION	PLAN CHECK SERVICES & INSPECTIONS / BUILDING	323604	5/31/16	76,665.49
ESPIRITU, D	SUBSISTENCE: POST COMMAND TRAINING / PD	323605	5/31/16	780.00
ESTRADA, M	REFUND: DOG LICENSE / FINANCE	323606	5/31/16	30.50
EXPERIAN	CREDIT CHECK / INVESTIGATIONS - PD	323607	5/31/16	42.80
FABINSKI, D	RETIREE HEALTH BENEFITS/JUNE 2016	323608	5/31/16	220.00
FEDEX	SHIPPING CHARGES / HR	323609	5/31/16	11.78
FIFIELD, K	RETIREE HEALTH BENEFITS/JUNE 2016	323610	5/31/16	540.00
GELSKEY, K	RETIREE HEALTH BENEFITS/JUNE 2016	323611	5/31/16	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS/JUNE 2016	323612	5/31/16	120.00
GONZALES, M	RETIREE HEALTH BENEFITS/JUNE 2016	323613	5/31/16	480.00
HANSON, E	RETIREE HEALTH BENEFITS/JUNE 2016	323614	5/31/16	135.00
HARLAN, M	RETIREE HEALTH BENEFITS/JUNE 2016	323615	5/31/16	500.00
HAUG, S	RETIREE HEALTH BENEFITS/JUNE 2016	323616	5/31/16	120.00
HEALTH NET	FULL NETWORK 57135A / JUNE 2016	323617	5/31/16	5,334.29
HEALTH NET	HEALTH INS N5992F / JUNE 2016	323618	5/31/16	651.54
HEALTH NET	HEALTH IN N5992A / JUNE 2016	323619	5/31/16	543.45
HEALTH NET INC	HEALTH INS R1192A / JUNE 2016	323620	5/31/16	71,947.40
HERNANDEZ, R	RETIREE HEALTH BENEFITS/JUNE 2016	323621	5/31/16	400.00
HODGES, B	RETIREE HEALTH BENEFITS/JUNE 2016	323622	5/31/16	200.00



**WARRANT REGISTER #48**  
**5/31/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
HONDO, E	RETIREE HEALTH BENEFITS/JUNE 2016	323623	5/31/16	110.00
IBARRA, J	RETIREE HEALTH BENEFITS/JUNE 2016	323624	5/31/16	780.00
JAMES, R	RETIREE HEALTH BENEFITS/JUNE 2016	323625	5/31/16	140.00
JUNIEL, R	RETIREE HEALTH BENEFITS/JUNE 2016	323626	5/31/16	50.00
KAISER FOUNDATION HEALTH PLANS	INSURANCE ACTIVE - JUNE 2016	323627	5/31/16	189,369.30
KAISER FOUNDATION HEALTH PLANS	RETIREE INS / JUNE 2016	323628	5/31/16	21,209.57
KAISER FOUNDATION HEALTH PLANS	RETIREE INS / JUNE 2016	323629	5/31/16	7,572.29
KAISER FOUNDATION HEALTH PLANS	HD H S A INS / JUNE 2016	323630	5/31/16	4,365.89
KIMBLE, R	RETIREE HEALTH BENEFITS/JUNE 2016	323631	5/31/16	300.00
LANDA, A	RETIREE HEALTH BENEFITS/JUNE 2016	323632	5/31/16	155.00
LAW OFFICE OF WILLIAM E O'NEIL	LIABILITY CLAIM COSTS	323633	5/31/16	57,500.00
LIMFUECO, M	RETIREE HEALTH BENEFITS/JUNE 2016	323634	5/31/16	160.00
MATIENZO, M	RETIREE HEALTH BENEFITS/JUNE 2016	323635	5/31/16	100.00
MC CABE, T	RETIREE HEALTH BENEFITS/JUNE 2016	323636	5/31/16	280.00
MEDINA, R	RETIREE HEALTH BENEFITS/JUNE 2016	323637	5/31/16	105.00
MINER, D	RETIREE HEALTH BENEFITS/JUNE 2016	323638	5/31/16	580.00
MUTHUSAMY, K	REIMB: MILEAGE FOR VARIOUS MEETINGS / ENG	323639	5/31/16	210.30
MYERS, B	RETIREE HEALTH BENEFITS/JUNE 2016	323640	5/31/16	140.00
NOTEWARE, D	RETIREE HEALTH BENEFITS/JUNE 2016	323641	5/31/16	120.00
PAUU JR, P	RETIREE HEALTH BENEFITS/JUNE 2016	323642	5/31/16	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS/JUNE 2016	323643	5/31/16	140.00
PETERS, S	RETIREE HEALTH BENEFITS/JUNE 2016	323644	5/31/16	290.00
POST, R	RETIREE HEALTH BENEFITS/JUNE 2016	323645	5/31/16	280.00
PRO BUILD	MOP 45707 MISC SUPPLIES / NSD	323646	5/31/16	2,600.50
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SVC / NSD	323647	5/31/16	50.08
RAY, S	RETIREE HEALTH BENEFITS/JUNE 2016	323648	5/31/16	190.00
RELANCE STANDARD	VOLUNTARY LIFE INS / JUNE 2016	323649	5/31/16	2,789.40
ROADONE	MOP 75948 TOWING SERVICE / PD	323650	5/31/16	180.00
ROARK, L	RETIREE HEALTH BENEFITS/JUNE 2016	323651	5/31/16	135.00
ROE, V	RETIREE HEALTH BENEFITS/JUNE 2016	323652	5/31/16	120.00
RUIZ, J	RETIREE HEALTH BENEFITS/JUNE 2016	323653	5/31/16	310.00
S D COUNTY SHERIFF'S DEPT	SDCO RANGE USE / PD	323654	5/31/16	550.00
SAFRAN MORPHOTRUST	NEW EMP FINGERPRINT TEST - MARCH 2016	323655	5/31/16	74.00
SAN DIEGO PR	DESIGN AND LAYOUT OF NC NEWS	323656	5/31/16	600.00
SD REGIONAL PUBLIC SAFETY TRAINING	TUITION: TRAINING / PD	323657	5/31/16	8.00
SANCHEZ, E	ED REIMBURSEMENT	323658	5/31/16	235.76
SERVATIUS, J	RETIREE HEALTH BENEFITS/JUNE 2016	323659	5/31/16	340.00
SHERWIN WILLIAMS	MOP 77816 PAINT/ NSD	323660	5/31/16	90.27
SHORT, C	RETIREE HEALTH BENEFITS/JUNE 2016	323661	5/31/16	300.00
SHRED IT USA	SHREDDING SERVICES / PD	323662	5/31/16	92.95
SMITH, J	RETIREE HEALTH BENEFITS/JUNE 2016	323663	5/31/16	320.00
SOSAMON, M	ED REIMBURSEMENT	323664	5/31/16	714.60
SPRINGER, K	SUBSISTENCE: SWAT TRAINING / PD	323665	5/31/16	210.40
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES / NSD	323666	5/31/16	1,037.45
STRASEN, W	RETIREE HEALTH BENEFITS/JUNE 2016	323667	5/31/16	135.00
TELLEZ, J	SUBSISTENCE: CANNABIS IMPACT/PD	323668	5/31/16	516.38
THE LINCOLN NATIONAL LIFE INS	LIFE & AD&D, STD, LTD INS / JUNE 2016	323669	5/31/16	9,423.49
TIPTON, B	RETIREE HEALTH BENEFITS/JUNE 2016	323670	5/31/16	250.00
TUFF PRODUCTS	LEATHER GEAR	323671	5/31/16	418.45



**WARRANT REGISTER #48**  
**5/31/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
U S HEALTHWORKS	VACCINE - HR	323672	5/31/16	470.00
VERRY, L	RETIREE HEALTH BENEFITS/JUNE 2016	323673	5/31/16	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS/JUNE 2016	323674	5/31/16	480.00
WEST PAYMENT CENTER	CLEAR INVESTIGATIVE DATABASES/PD	323675	5/31/16	473.49
WHITE, J	RETIREE HEALTH BENEFITS/JUNE 2016	323676	5/31/16	230.00
WILLY'S ELECTRONIC SUPPLY	MOP 45763 MISC SUPPLIES / PD	323677	5/31/16	211.35
ZENGOTA, V	RETIREE HEALTH BENEFITS/JUNE 2016	323678	5/31/16	300.00
SDG&E	UTILITIES SVCS 4/18 - 5/17/16 / SA	323679	5/31/16	207.25
SWEETWATER AUTHORITY	WATER UTILITIES 3/8 - 5/2/16 / SA	323680	5/31/16	174.91
			<b>A/P Total</b>	<b>588,728.81</b>
<b>WIRED PAYMENTS</b>				
PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SVC BASE FEE MAR 2016	329914	5/31/16	1,090.00
<b>GRAND TOTAL</b>				<b>\$ 589,818.81</b>

## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### **FINANCE COMMITTEE**

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
JERRY CANO, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
ALBERT MENDIVIL, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF AUGUST, 2016.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #49 for the period of 06/01/16 through 06/07/16 in the amount of \$2,952,133.53.  
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Warrant Register #49 for the period of 06/01/16 through 06/07/16 in the amount of \$2,952,133.53.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 06/01/16 through 06/07/16.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Action Target Inc	323684	73,710.72	5 Lanes Wireless All Wheel Drive / PD
Chen Ryan Associated Inc	323726	50,490.07	Division St. Road Diet Project / Eng
D-Max Engineering	323734	52,048.11	Stormwater Services Project
New Century Construction Inc	323759	83,467.30	D Ave. & 12 <sup>th</sup> St. Project
Wondries Fleet Group	323792	62,922.10	2016 Ford F-250 Truck 4X2 / PW
Public Emp Ret System	6032016	362,927.25	Service Period 05/10/16 – 5/23/16

**FINANCIAL STATEMENT:**

**APPROVED:** 

Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

MIS

Reimbursement total \$2,952,133.53

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE: INTRODUCTION:** ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Ratification of warrants in the mount of \$2,952,133.53

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #49



# WARRANT REGISTER #49

6/7/2016

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SMITH, M	REIMB/EMPLOYEE PAYCHECK RETURNED BY BANK	323681	6/2/16	2,220.03
ABACOR INC	REPLACE TAILGATE / PW	323682	6/6/16	813.75
ACME SAFETY & SUPPLY CORP	SPECIAL RAINCOATS / PW	323683	6/6/16	71.87
ACTION TARGET INC	5 LANES WIRELESS ALL WHEEL DRIVE / PD	323684	6/6/16	73,710.72
AFFORDABLE BUTTONS COM	CUSTOM BUTTONS / VM CANO - CM RIOS	323685	6/6/16	486.09
ALIGNMENT EXPRESS	STEERING GEARS / PW	323686	6/6/16	1,594.17
AMERICAN AWARDS	NAME TAGS / CM RIOS	323687	6/6/16	11.99
BJ'S RENTALS	RENTAL OF BOOM 34' TOWABLE GENIE / PW	323688	6/6/16	2,178.00
BOUND TREE MEDICAL LLC	CURAPLEX SELECT HALO SHEAL / FIRE	323689	6/6/16	134.75
BROADWAY AUTO GLASS	WINDSHIELD / PW	323690	6/6/16	290.00
CARDIAC SCIENCE CORPORATION	9300 SERIES LITHIUM BATTERY / FIRE	323691	6/6/16	5,153.00
CLF WAREHOUSE	RADIAL SEAL OUTER AIR / PW	323692	6/6/16	450.30
DANIELS TIRE SERVICE	RETREAD TIRES / PW	323693	6/6/16	3,115.69
DAY WIRELESS SYSTEMS (20)	PORTABLE RADIO / FIRE	323694	6/6/16	348.98
DISCOUNT SCHOOL SUPPLY	TEACHERS MOBILE METAL CABINET / CSD	323695	6/6/16	1,812.53
GUERRERO, A	EMERGENCY MEDICAL SVCS SCHOLARSHIP	323696	6/6/16	1,000.00
HANDY METAL MART	BLACK SPRAY PAINT / PARKS	323697	6/6/16	18.90
LAERDAL MEDICAL CORP	HEARTSAVER CPR WORKSHOP / FIRE	323698	6/6/16	435.48
LINE X SAN DIEGO	WEATHER TECH FLOOR MATS / PW	323699	6/6/16	322.65
MAINTEX INC	JANITORIAL SUPPLIES / PW	323700	6/6/16	320.27
MEZA, J	EMERGENCY MEDICAL SVCS SCHOLARSHIP	323701	6/6/16	1,000.00
PRENDELL, E	REIMB / MILEAGE / EXCEL VB ADVANCED	323702	6/6/16	23.76
RDO EQUIPMENT CO	RADIATOR AND GASKET / PW	323703	6/6/16	105.61
SAN DIEGO FRICTION PRODUCTS	M110 SHEPPARD BOX / PW	323704	6/6/16	1,747.68
SANCHEZ, A	EMERGENCY MEDICAL SVCS SCHOLARSHIP	323705	6/6/16	1,000.00
SONSRAY MACHINERY LLC	GLASS / PW	323706	6/6/16	476.20
SOUTH COAST EMERGENCY	CAP COOLANT RESERVIOR / PW	323707	6/6/16	237.78
STAPLES BUSINESS ADVANTAGE	30X72 RECTANGULAR TABLES / CSD	323708	6/6/16	1,521.87
THE HOME DEPOT CREDIT SERVICES	DECORATIVE MED CAB / PARKS	323709	6/6/16	384.21
THE SOCO GROUP, INC.	5 GALLON VP SEF94 / FIRE	323710	6/6/16	281.18
VILLEGAS, J	EMERGENCY MEDICAL SVCS SCHOLARSHIP	323711	6/6/16	1,000.00
VISION INTERNET PROVIDERS	VISION INTERNET WEBSITE UPGRADE	323712	6/6/16	15,612.00
AVILES, C	EMERGENCY MEDICAL SVCS SCHOLARSHIP	323713	6/7/16	1,000.00
CAPPO SAN DIEGO	TRAINING AT COUNTY OF S D - FINANCE	323714	6/7/16	98.00
CHEN RYAN ASSOCIATES INC	DIVISION ST ROAD DIET PSE / ENG	323715	6/7/16	32,649.12
MORRISON, R	LINENS/2015 STATE OF THE CITY ADDRESS	323716	6/7/16	736.53
ACCOUNTING UNIT	NC PUBLIC WORKS YARD	323717	6/7/16	4,734.39
ALDEMCO	CONSUMABLES- NUTRITION CENTER	323718	6/7/16	255.47
AMEDEE, W	REFUND: FITBIT TRACKERS-WEIGHTLOSS	323719	6/7/16	228.33
ATKINS NORTH AMERICA INC	FY17 TAX ROLL SERV. PROJECT	323720	6/7/16	7,072.00
BC WIRE ROPE & RIGGING, INC.	SAFETY HARNESS / PW	323721	6/7/16	43.60
BROADWAY AUTO GLASS	WINDSHIELD GREEN TINT / PW	323722	6/7/16	179.98
C P RICHARDS SIGNS INC	MATTE SCRIM BANNER / FIRE	323723	6/7/16	85.33
CALIFORNIA COMMERCIAL SECURITY	MOP#45754 SUPPLIES / PW	323724	6/7/16	62.90
CARDIAC SCIENCE CORPORATION	POWERHEART AED G3 PACKAGE/COMM SVC	323725	6/7/16	1,295.00
CHEN RYAN ASSOCIATES INC	DIVISION ST. ROAD DIET PROJECT / ENG	323726	6/7/16	50,490.07
CHRISTENSEN & SPATH LLP	LEGAL / FIRST TIME HOME BUYER	323727	6/7/16	56.25
CLEAN DIESEL SPECIALISTS INC	HEATER MODULE 208VAC / PW	323728	6/7/16	2,169.77
COHERO	RMS/AFR SUPP	323729	6/7/16	26,000.00



# WARRANT REGISTER #49

6/7/2016

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DANIELS TIRE SERVICE	MOP#76986 TIRES / PW	323730	6/7/16	1,923.80
DEEPNET SECURITY LIMITED	SAFEID CLASSIC TOKENS	323731	6/7/16	1,195.00
DEPARTMENT OF JUSTICE	NEW EMPLOYEE FINGERPRING TEST RESULTS	323732	6/7/16	1,494.00
DIAMOND ENVIRONMENTAL SVCS	EVENT PREMIER RESTROOM RENTAL / CSD	323733	6/7/16	200.67
D-MAX ENGINEERING	STORMWATER SERVICES PROJECT	323734	6/7/16	52,048.11
DUNBAR ARMORED INC	ARMORED SERVICES / APRIL / FINANCE	323735	6/7/16	219.09
FERGUSON ENTERPRISES INC	MOP#45723 PIPE SUPPLIES	323736	6/7/16	480.02
FIRE ETC	BLACK STRUCTURE BOOTS / FIRE	323737	6/7/16	8,698.20
FITNESS DIRECT	AGILE FIT RUBBER DUMBBELL	323738	6/7/16	491.78
FLYERS ENERGY LLC	MOBIL SYNTHETIC OIL / PW	323739	6/7/16	2,279.50
GEORGE'S LAWN EQUIPMENT CO	LANDSCAPPING SUPPLIES / PARKS	323740	6/7/16	159.93
GEOSYNTEC CONSULTANTS INC	PARADISE CREEK EMERGENCY MAINT PROJECT	323741	6/7/16	20,826.18
GOVCONNECTION INC	ADOBE ACROBAT DC PROFESSIONAL / MIS	323742	6/7/16	3,849.00
GRAINGER	MOP#65179 SUPPLIES / FIRE	323743	6/7/16	1,023.40
HARRIS & ASSOCIATES	PROFESSIONAL SERVICES- SEWER	323744	6/7/16	480.00
HINDERLITER DE LLAMAS & ASSOC	CONTRACT / SALES TAX QTR1 2015 / FIN	323745	6/7/16	5,233.34
HUDSON SAFE T LITE RENTALS	CONCRETE IN A CAN / PW	323746	6/7/16	117.72
IBM	IBM SOFTWARE SUBSCRIPTION / MIS	323747	6/7/16	2,176.94
INNOVATIVE CONSTRUCTION	PARADISE CREEK REST. PROJECT	323748	6/7/16	47,172.50
KAPLAN EARLY LEARNING COMPANY	LITTLE SCHOLAR TABLETS / CSD	323749	6/7/16	3,334.47
KIMLEY HORN AND ASSOC INC	PW RECONSTRUCTION PHASE 4 PROJECT	323750	6/7/16	713.90
KONICA MINOLTA	COPIER EQUIPMENT LEASE / APRIL 2016	323751	6/7/16	293.15
KTU&A	DOWNTOWN SPECIFIC PLAN PROJECT	323752	6/7/16	38,700.75
MEDIFIT COMMUNITY SERVICES LLC	MANAGEMENT FEE / CSD	323753	6/7/16	30,616.21
MOSSY NISSAN	ROTATE TIRES / PW	323754	6/7/16	19.95
MUNICIPAL INFORMATION SYSTEMS	SOUTHERN CHAPTER FULL MISAC RENEWAL	323755	6/7/16	160.00
NATIONAL CITY AUTO TRIM	CUSHION REPAIR / PW	323756	6/7/16	321.55
NATIONAL CITY CAR WASH	MOP#72454 SUPPLIES / PW	323757	6/7/16	395.00
NATIONAL CITY TROPHY	MOP#66556 SUPPLIES / PW	323758	6/7/16	20.44
NEW CENTURY CONSTRUCTION INC	D AVE. & 12TH ST. PROJECT	323759	6/7/16	83,467.30
NORTH COUNTY FORD	2016 FORD F-250 2WD SUPERCAB / PW	323760	6/7/16	34,458.86
O'REILLY AUTO PARTS	MOP#75877 AUTO SUPPLIES	323761	6/7/16	547.59
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES- NUTRITION	323762	6/7/16	157.45
PCS MOBILE	MISC REPAIR ASSY ON MDC / MIS	323763	6/7/16	942.42
PENSKE FORD	R&M CITY VEHICLE REPAIR / PW	323764	6/7/16	707.75
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTO PARTS / PW	323765	6/7/16	369.11
PRO BUILD	MOP 45707 MISC SUPPLIES / NSD	323766	6/7/16	3,440.77
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / PARKS	323767	6/7/16	351.30
QUALA TEL ENTERPRISES	SIGTRONICS HEADSETS/WINDSCREENS / PW	323768	6/7/16	509.44
RED WING SHOES STORE	SAFETY BOOTS / PW	323769	6/7/16	125.00
RON BAKER CHEVROLET	MOP#45751 AUTO EQUIPMENT	323770	6/7/16	558.92
SAFDIE RABINES ARCHITECTS	AQUATIC CENTER PROJECT	323771	6/7/16	38,557.44
SAM'S ALIGNMENT SERVICE	MOP#72442 AUTO EQUIPMENT	323772	6/7/16	144.00
SAN DIEGO GAS & ELECTRIC	GAS & ELECTRIC - NUTRITION CENTER	323773	6/7/16	2,355.00
SAN DIEGO PLASTICS INC	COROPLAST WHITE 4MM / PW	323774	6/7/16	437.09
SCS ENGINEERS/FIELD SVC	PROFESIONAL SERVICES / EMG	323775	6/7/16	1,407.20
SDG&E	GAS & ELECTRIC UTILITIES	323776	6/7/16	26,806.85
SECLICKFIX	SECLICKFIX APPLICATION FY 2017 / MIS	323777	6/7/16	15,132.00
SMART & FINAL	MOP 45756 MIS COMM SVC	323778	6/7/16	439.90



# **WARRANT REGISTER #49**

**6/7/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SMART SOURCE OF CALIFORNIA LLC	BUSINESS CARD MASTER SHELLS / FINANCE	323779	6/7/16	1,061.45
SOUTHERN CALIFORNIA SOIL	EL TOYON & KIMBALL PARK UPGRADES PROJECT	323780	6/7/16	6,649.00
SPARKLETTS	WATER / NUTRITION CENTER	323781	6/7/16	33.68
STAPLES BUSINESS ADVANTAGE	COPY PAPER / PD	323782	6/7/16	2,010.58
SWEETWATER AUTHORITY	WATER SERVICE UTILITIES	323784	6/7/16	25,057.77
SYSCO SAN DIEGO INC	CONSUMABLES/FOOD - NUTRITION	323785	6/7/16	6,215.74
TYLER BLIK DESIGN INC	CONSULTATION & DESIGN SVCS FOR SIGNS	323786	6/7/16	5,000.00
U S BANK	CREDIT CARD EXPENSES / FIRE	323787	6/7/16	2,454.31
VISTA PAINT	MOP 68834 PAINT SUPPLIES / NSD	323788	6/7/16	694.49
WAVETEC CONSTRUCTION	726 W. 19TH ST. PROJECT	323789	6/7/16	18,012.00
WESTFLEX INDUSTRIAL	MOP#63850 AUTO EQUIPMENT / PW	323790	6/7/16	475.34
WILLY'S ELECTRONIC SUPPLY	MOP#45763 ELECTRICAL SUPPLIES / PW	323791	6/7/16	32.09
WONDRIES FLEET GROUP	2016 FORD F-250 TRUCK 4 X 2 / PW	323792	6/7/16	62,922.10
AMAZON	BOOKS - LIBRARY	323793	6/7/16	2,741.10
BAKER & TAYLOR	BOOKS- LIBRARY	323794	6/7/16	507.50
BRODART CO	BOOKS - LIBRARY	323795	6/7/16	312.41
GABRIEL LE BLANC	LATIN JAZZ PERFORMER/ LIBRARY	323796	6/7/16	250.00
JANWAY COMPANY USA INC	2GB GENERIC FLASH DRIVE / LIBRARY	323797	6/7/16	371.00
NEW READERS PRESS	BOOKS FOR LITERACY COLLECTION	323798	6/7/16	511.56
HATCH, G	REAL ESTATE APPRAISAL 1837 A STREET	323799	6/7/16	1,000.00
KANE BALLMER & BERKMAN	LEGAL / CENTRO PURCHASE AND SALE / SA	323800	6/7/16	7,357.50
KEYSER MARSTON ASSOCIATES INC	LEGAL / PALM PLAZA 33433 SUMMARY / SA	323801	6/7/16	2,083.75
OPPER & VARCO LLP	LEGAL / WITOD / SA	323802	6/7/16	260.00
SDG&E	UTILITIES SVCS 4/22 - 5/23/16 / SA	323803	6/7/16	18.38

**A/P Total 826,627.94**

## **WIRED PAYMENTS**

PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 05/10/16 - 05/23/16	6032016	6/3/16	362,927.25
PUBLIC EMP RETIREMENT SYSTEM	GASB 68 REPORTING SERVICES FEE	6062016	6/6/16	5,000.00

## **SECTION 8 HAPS**

<u>Start Date</u>	<u>End Date</u>	
6/1/2016	6/7/2016	789,432.74

## **PAYROLL**

<u>Pay period</u>	<u>Start Date</u>	<u>End Date</u>	<u>Check Date</u>	
12	5/24/2016	6/6/2016	6/15/2016	968,145.60

**GRAND TOTAL**

**\$2,952,133.53**

## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
JERRY CANO, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
ALBERT MENDIVIL, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF AUGUST, 2016.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #50 for the period of 06/08/16 through 06/14/16 in the amount of \$818,658.24. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** 1

**ITEM TITLE:**

Warrant Register #50 for the period of 06/08/16 through 06/14/16 in the amount of \$818,658.24.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 06/08/16 through 06/14/16.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Advanced Exercise Equip	323804	63,160.20	Gym Equipment / Police Department
City Of Chula Vista	323824	106,128.50	AR 136459 Impounds / PD
Public Emp Ret System	6102016	378,445.75	Service Period 05/24/16 – 06/06/16

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** MIS

Reimbursement total \$818,658.24

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Ratification of warrants in the mount of \$818,658.24

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #50



**WARRANT REGISTER #50**  
**6/14/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ADVANCED EXERCISE EQUIPMENT	GYM EQUIPMENT / POLICE DEPARTMENT	323804	6/14/16	63,160.20
ALIGNMENT EXPRESS	KIT-BUSHING FOR SUSPENSION / PW	323805	6/14/16	2,177.66
ALPHA PROJECT FOR THE HOMELESS	EXPENSE REIMB / APRIL 2016 / NSD	323806	6/14/16	10,000.00
AMEDEE, W	REIMB: CAT COMBAT TOURNIQUETS	323807	6/14/16	129.44
ASPEN RISK MANAGEMENT GROUP	FIELD VISIT OBSERVATION & EVALUATIONS	323808	6/14/16	2,700.00
AT&T	PHONE SERVICES / 4/13/16-5/12/16	323809	6/14/16	7,892.73
AT&T	PHONE SERVICES / 4/06/16-5/05/16	323810	6/14/16	187.22
AT&T	PHONE SERVICES / MAY 2016	323811	6/14/16	44.58
AT&T MOBILITY	WIRELESS SERVICE / 4/06/16-5/05/16	323812	6/14/16	2,661.17
BACALLAO, I	LICENSE REIMBURSEMENT	323813	6/14/16	110.00
BATES, J	INSTRUCTOR FEE: WILDLAND TACTICS	323814	6/14/16	1,260.26
BEECHER, J	REIMB: JOB CERTIFICATION / PW	323815	6/14/16	160.00
BRIAN COX MECHANICAL INC	CITY WIDE HVAC	323816	6/14/16	186.00
BROADWAY AUTO GLASS	WINDSHIELD W MOLDING	323817	6/14/16	262.00
CALIFORNIA COMMERCIAL SECURITY	MOP#45754 BUILDING SUPPLIES	323818	6/14/16	273.52
CALIFORNIA DIESEL COMPLIANCE	OPACITY TESTING AND DPF CLEANING	323819	6/14/16	295.00
CARTEGRAPH SYSTEMS INC	PERMIT LICENSE & TRACKING / MIS	323820	6/14/16	12,000.00
CESNAUSKAS, S	ED REIMBURSEMENT / FIRE	323821	6/14/16	1,128.60
CHILDREN'S HOSPITAL	FORENSIC INTERVIEW / PD	323822	6/14/16	1,068.00
CIRCULATE SAN DIEGO	ON-CALL ACTIVE TRANSPORTATION PLANNING	323823	6/14/16	292.50
CITY OF CHULA VISTA	AR136459 IMPOUNDS / PD	323824	6/14/16	106,128.50
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT/ APRIL 2016	323825	6/14/16	302.71
CLEAN DIESEL SPECIALISTS INC	HEATER / PW	323826	6/14/16	2,169.77
CLEAN HARBORS	HOUSEHOLD HAZARDOUS WASTE	323827	6/14/16	603.50
CLF WAREHOUSE	EQUIPMENT MAINTENANCE SUPPLIES	323828	6/14/16	917.16
COMMERCIAL AQUATIC SERVICE INC	PURCHASE OF POOL CHEMICAL SUPPLIES	323829	6/14/16	3,950.00
COUNTY OF SAN DIEGO	BUILDING RECORDS / COMM DEV	323830	6/14/16	12.00
COUNTY OF SAN DIEGO	PARCEL RECORD REQUEST / NSD	323831	6/14/16	2.00
COUNTY OF SAN DIEGO	RENEWAL: UNIFIED FACILITY PERMIT/ENG	323832	6/14/16	765.00
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS SYSTEMS / MAY	323833	6/14/16	8,038.84
COX COMMUNICATIONS	INTERNET SERVICE / MAY 2016	323834	6/14/16	188.03
CYNTHIA TITGEN CONSULTING INC	RISK MANAGMENT SVCS / MAY 2016	323835	6/14/16	2,800.00
DANIELS TIRE SERVICE	P265/70R16 TIRES	323836	6/14/16	2,639.10
DATA TICKET INC	TICKET APPEALS & ON-LINE ACCESS / NSD	323837	6/14/16	1,937.50
EDD	UNEMPLOYMENT INSURANCE REIMB	323838	6/14/16	9,321.52
EQUIFAX INFORMATION SVCS	EQUIFAX SERVICES / S8	323839	6/14/16	101.25
FEDEX	EXPRESS SHIPMENT/ ENG	323840	6/14/16	66.94
FLEET SERVICES INC	DRUM/BRAKE SHOES/BRAKE KIT	323841	6/14/16	790.84
FLORES CLARK, J	REIMB: MANA MEMBERSHIP FOR MAYOR	323842	6/14/16	40.00
FLORES, R	WEARING APPAREL / PW	323843	6/14/16	90.00
FREE FORM CLAY & SUPPLY	1 BOX - UFC / PW	323844	6/14/16	50.53
FRIENDLY UPHOLSTERY	FABRICATE HOSE BED COVER	323845	6/14/16	90.00
FRIENDS OF THE READ S D	REGISTRATION / READ SD TUTOR CONF / LIBR	323846	6/14/16	210.00
GRAINGER	MOP#65179 SUPPLIES / PW	323847	6/14/16	411.53
GROSSMAN PSYCHOLOGICAL	PRE-EMP EVALUATIONS-APR 2016/ PD	323848	6/14/16	1,375.00
HANDY METAL MART	PS SHEET 14 GAGE / PW	323849	6/14/16	55.36
HOTSY PRESSURE WASHING	HOT WATER PRESSURE WASHER / PW	323850	6/14/16	5,555.31
HUDSON SAFE T LITE RENTALS	28" REFLECTIVE CONES / PW	323851	6/14/16	490.50
HUNTER'S NURSERY INC	MOP 45719 PLA	323852	6/14/16	257.68



**WARRANT REGISTER #50**  
**6/14/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
IRON MOUNTAIN	RECORDS/DOCUMENT STORAGE / JUN 2016	323853	6/14/16	157.00
JOHNSON, S	REIMB: SUPPLIES FOR TINY TOTS / COMM SVC	323854	6/14/16	173.28
KONICA MINOLTA	COPIER EQUIP LEASE / 4/04/16-4/30/16	323855	6/14/16	6,800.19
LASER SAVER INC	MOP 45725 INK CARTRIDGE / MIS	323856	6/14/16	212.33
LEFORTS SMALL ENGINE REPAIR	SPARK PLUG/FUEL FILTER/FUEL LINE / PW	323857	6/14/16	328.86
LOKESH S TANTUWAYA MD INC	MEDICAL SERVICES / PD	323858	6/14/16	770.00
LOPEZ, T	INTERPRETATION SVCS / COMM DEV	323859	6/14/16	140.00
MANGUM, N	REIMB / LCC CITY ATTORNEY CONF / MANGUM	323860	6/14/16	672.97
MARCHANTE, A	BOOK - KEYS FOR WRITERS/ COMM DEV	323861	6/14/16	56.35
MELLADO DESIGNS	SPORT-TEK LADIES POLO SHIRT / HOUSING & HR	323862	6/14/16	636.12
METRO AUTO PARTS DISTRIBUTOR	MOP#75943 AUTO PARTS / PW	323863	6/14/16	2,096.31
MORRISON, D	REIMB: PROCLAMATION FRAMES	323864	6/14/16	45.34
MUNOZ, L	WORKPLACE INVESTIGATION WORKSHOP/HR	323865	6/14/16	55.62
NATIONAL CREDIT REPORTING	CREDIT REPORTING / S8	323866	6/14/16	27.65
NEX XOS WORLDWIDE LLC	BLUE LINE FRH WITH HEATERS / FIRE	323867	6/14/16	2,808.00
OFFICE SOLUTIONS BUSINESS	I-944259 / LAZYBOY CHAIRS	323868	6/14/16	706.58
O'REILLY AUTO PARTS	MOP#75877 AUTO SUPPLIES	323869	6/14/16	203.88
PACIFIC TELEMAGEMENT SERVICE	PAYPHONE SERVICES / JUN 2016	323870	6/14/16	153.00
PCS MOBILE	RETROFIT TO GPS / MIS	323871	6/14/16	11,009.00
PENSKE FORD	R&M CITY VEHICLES	323872	6/14/16	810.61
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTO PARTS	323873	6/14/16	449.07
PRO BUILD	MOP#45707 SUPPLIES / PW	323874	6/14/16	465.35
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / NSD	323875	6/14/16	677.35
QUAL CHEM CORPORATION	5GAL PAIL GRANULAR SEWER MAINTAINER / PW	323876	6/14/16	496.04
SAM'S ALIGNMENT SERVICE	MOP#72442 AUTO PARTS	323878	6/14/16	449.71
SAN DIEGO FRICTION PRODUCTS	MIRROR / PW	323879	6/14/16	171.89
SAN DIEGO UNION TRIBUNE	LEGAL NOTICES ADVERTISING	323880	6/14/16	1,664.40
SAVMART PHARMACEUTICAL SERVICE	PHARMACEUTICALS / FIRE	323881	6/14/16	84.14
SDG&E	GAS & ELECTRIC UTILITIES	323882	6/14/16	25,866.24
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	323883	6/14/16	262.87
SHERWIN WILLIAMS	PAINT, HEAVY DUTY WIRE, BLUE TAPE / NSD	323884	6/14/16	3,857.68
SITEONE LANDSCAPE SUPPLY LLC	MOP#69277 LANDSCAPE SUPPLIES	323885	6/14/16	672.20
SMART & FINAL	MOP 45756 TINY TOTS SUPPLIES/COMM SVC	323886	6/14/16	129.50
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 TCTI CARDS / PD	323887	6/14/16	936.34
SOUTH BAY MOTORSPORTS	R & M CITY VEHICLES	323888	6/14/16	2,848.03
SOUTH BAY WINDOW & GLASS CO	CITY WIDE OFF SITE WINDOW, DOOR, MIRROR/PW	323889	6/14/16	494.75
SOUTHERN CALIF TRUCK STOP	MOP#45758 OIL SUPPLIES	323890	6/14/16	76.23
SOUTHWEST SIGNAL SERVICE	MONTHLY MAINTENANCE / APRIL 2016	323891	6/14/16	12,034.22
SPEEDPRO IMAGING	FORD TAURUS VEHICLE GRAPHICS	323892	6/14/16	904.40
STANLEY ACCESS TECHNOLOGIES	CITY WIDE DOOR REPAIR & REPLACEMENT / PW	323893	6/14/16	3,499.05
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES / FINANCE	323894	6/14/16	2,627.21
SUPERIOR READY MIX	COLD MIX ASPHALTS/TACK OIL	323895	6/14/16	3,118.00
SWEETWATER AUTHORITY	WATER SERVICE UTILITIES	323896	6/14/16	13.66
SYSCO SAN DIEGO INC	CONSUMABLES/FOOD - NUTRITION	323897	6/14/16	627.34
THE COUNSELING TEAM	EMP SUPPORT SVC - APR 2016 / PD	323898	6/14/16	800.00
THE HOME DEPOT CREDIT SERVICES	ELECTRIC AIR COMPRESSOR / PW	323899	6/14/16	616.27
THE STAR NEWS PUBLISHING COMP	ADVERTISEMENT: TOWING	323900	6/14/16	74.31
TODD PIPE & SUPPLY LLC	CITY WIDE PLUMBING MATERIALS	323901	6/14/16	779.81
TRAFFICWARE LLC	INSTALL AND M	323902	6/14/16	3,099.00



**WARRANT REGISTER #50**  
**6/14/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
U S BANK	CREDIT CARD EXPENSES / HR	323903	6/14/16	3,156.35
U S HEALTHWORKS	PRE-EMP PHYSICALS / HR	323904	6/14/16	678.00
UNDERGROUND SERVICE ALERT	UNDERGROUND SERVICE ALERT	323905	6/14/16	184.50
VERIZON WIRELESS	CELLULAR SERVICE / 4/22/16-5/21/16	323906	6/14/16	10,769.25
VISION SERVICE PLAN	VISION SVC PLAN (CA) JUNE 2016	323907	6/14/16	479.41
VISTA PAINT	MOP 68834 PAINT SUPPLIES / NSD	323908	6/14/16	518.38
WESTFLEX INDUSTRIAL	MOP#63850 AUTO SUPPLIES	323909	6/14/16	222.59
WILLY'S ELECTRONIC SUPPLY	MOP 45763 MISC SUPPLIES / MIS	323910	6/14/16	108.05
ZUMAR INDUSTRIES INC	UNIVERSAL CLAMP/DOUBLE STICK TAPE / PW	323911	6/14/16	536.23
			<b>A/P Total</b>	<b>367,660.36</b>
<b>WIRED PAYMENTS</b>				
PAYCHEX BENEFIT TECHNOLOGIES	ESR SERVICES BASE FEE JUNE 2015	200957	6/10/16	407.00
CITY NATIONAL BANK	LEASE PAYMENT #25 ENERGY PROJECT	585828	6/14/16	43,101.10
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET MAY 2016	598602	6/13/16	17,014.51
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 05/24/16 - 06/06/16	6102016	6/10/16	378,445.75
<b>SECTION 8 HAPS PAYMENTS</b>	<b>Start Date</b> 6/8/2016	<b>End Date</b> 6/14/2016		<b>12,029.52</b>
			<b>GRAND TOTAL</b>	<b>\$ 818,658.24</b>

## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
JERRY CANO, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
ALBERT MENDIVIL, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF AUGUST, 2016.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #51 for the period of 06/15/16 through 06/21/16 in the amount of \$2,555,094.36.  
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Warrant Register #51 for the period of 06/15/16 through 06/21/16 in the amount of \$2,555,094.36.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 06/15/16 through 06/21/16.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Western Rim Construction	323920	397,510.86	El Toyon & Kimball Skate Project
City of San Diego	323952	114,926.00	Fire Dispatch Services / Jan-Mar 2016
Kimley Horn and Assoc Inc	323974	83,690.90	Euclid Avenue Project
M A Stevens Construction Inc	323979	69,331.04	Library Remodel Project
Project Professionals Corp	323990	70,426.93	Plaza Blvd. Widening Project
West Tech Contracting Inc	324021	294,920.55	Paradise Creek Ret. Project
South Bay Community Svcs	324040	66,813.00	Home Investment Partnership Agreement
Tristar Risk Management	585822	54,365.71	May 2016 WC Replenishment

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Reimbursement total \$2,555,094.36

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Ratification of warrants in the mount of \$2,555,094.36

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #51



**WARRANT REGISTER #51**  
**6/21/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
A REASON TO SURVIVE	PARADISE CREEK PROJECT	323912	6/20/16	22,015.56
AT&T	PHONE SERVICES/03/13/16-04/12/16	323913	6/20/16	6,100.93
CALIFORNIA CONSERVATION CORPS	FLOOD CONTROL PROJECT	323914	6/20/16	35,336.00
DALEY & HEFT LLP	LIABILITY CLAIM COST	323915	6/20/16	2,330.33
DICK MILLER INC	PLAZA BLVD WIDENING N AVE TO I-805 PROJECT	323916	6/20/16	78,528.85
GOVCONNECTION INC	DUAL RADIO RJ45 WIRELESS	323917	6/20/16	3,699.68
KTU&A	SRTS PEDESTRIAN ENH. PROJECT	323918	6/20/16	1,202.50
RELY ENVIRONMENTAL	PUBLIC WORKS YARD PROJECT	323919	6/20/16	1,437.00
WESTERN RIM CONSTRUCTORS INC	EL TOYON & KIMBALL SKATE PROJECT	323920	6/20/16	397,510.86
ABLE PATROL & GUARD	SECURITY GUARD SERVICE FOR THE LIBRARY	323921	6/21/16	3,198.93
BAKER & TAYLOR	BOOKS- LIBRARY	323922	6/21/16	1,722.06
BIBLIOTHECA LLC	SERVICE AGREEMENT FOR 3M MODEL 8422	323923	6/21/16	1,215.90
BRODART CO	BOOKS - LIBRARY	323924	6/21/16	180.75
FIRST BOOK NATIONAL OFFICE	GIVEAWAY BOOKS FOR CHILDREN	323925	6/21/16	235.40
GOVCONNECTION INC	iPAD AIR 2, 16GB, WI-FI SPACE GRAY / LIBRARY	323926	6/21/16	2,047.96
GRASS ROOTS PRESS	BOOKS FOR THE LITERACY COLLECTION	323927	6/21/16	460.70
LASER SAVER INC	MOP#45725 - SUPPLIES / LIBRARY	323928	6/21/16	206.99
LIEU, C	REIMBURSEMENT / LITERACY SUPPLIES	323929	6/21/16	39.49
MARJORIE, B	MILEAGE REIMBURSEMENT FOR TRAINING	323930	6/21/16	17.39
MIDWEST TAPE	DVD'S/AUDIO BOOKS - LIBRARY	323931	6/21/16	368.53
MOLTER, D	MILEAGE REIMBURSEMENT FOR TRAINING	323932	6/21/16	15.44
SALAZAR ROLLON, R	MILEAGE REIMBURSEMENT FOR TRAINING	323933	6/21/16	11.66
SCHOLASTIC LIBRARY PUBLISHING	GROLIER ONLINE RENEWAL / LIBRARY	323934	6/21/16	2,809.00
SMART & FINAL	MOP #45756 - SUPPLIES / LIBRARY	323935	6/21/16	67.99
STAPLES BUSINESS ADVANTAGE	MOP #45704 - SUPPLIES . LIBRARY	323936	6/21/16	559.06
THE SHOPPER INC	DVD PROCESSING SUPPLIES-LIBRARY	323937	6/21/16	980.44
U S POSTMASTER	POSTAGE FOR OVERDUE NOTICES / LIBRARY	323938	6/21/16	98.00
WORLD BOOK SCHOOL AND LIBRARY	WB ENCYCLOPEDIA 2016 / LIBRARY	323939	6/21/16	849.00
WORLD BOOK SCHOOL AND LIBRARY	OUT OF STATE SALES TAX FOR PO# 80119	323940	6/21/16	76.41
THE LAW OFFICES OF EDWARD Z KOTKIN	LEGAL / OVERSIGHT BOARD / S A	323941	6/21/16	894.57
ADDICTION MEDICINE	D O T TESTING PROGRAM JUL-DEC 2016	323942	6/21/16	1,500.00
AETNA RESOURCES FOR LIVING	EMP ASSISTANCE PROGRAM - JUNE 2016	323943	6/21/16	809.08
ALAN CROSTHWAITE INC	PHOTOGRAPHY/VIDEOGRAPHY SVC	323944	6/21/16	3,500.00
BENEDEK, E	REIMB: IAFC FIRE-RESCUE MED	323945	6/21/16	68.99
BMI	BMI LICENSE FY 2017	323946	6/21/16	602.00
BOOT WORLD	MOP#64096 WEARING APPAREL	323947	6/21/16	231.90
BSE ENGINEERING, INC.	PD UPGRADES PROJECT	323948	6/21/16	2,160.00
CALIFORNIA ELECTRIC SUPPLY	MOP#45754 SUPPLIES	323949	6/21/16	72.41
CEB	PUBLICATION ANNUAL UPDATES	323950	6/21/16	257.35
CHEN RYAN ASSOCIATES INC	DIVISION ST. ROAD DIET PROJECT / ENG	323951	6/21/16	6,473.25
CITY OF SAN DIEGO	FIRE DISPATCH SERVICES / JAN - MARCH 2016	323952	6/21/16	114,926.00
CLAIMS MANAGEMENT ASSOCIATES	RISK SERVICES / MARCH 2016	323953	6/21/16	6,626.20
COMMERCIAL AQUATIC SERVICE INC	PURCHASE OF POOL CHEMICAL SUPPLIES	323954	6/21/16	2,571.86
COUNTY OF SAN DIEGO	RENEWAL FACILITY PERMIT	323955	6/21/16	856.00
COUNTY OF SAN DIEGO	RENEWAL FACILITY PERMIT	323956	6/21/16	797.00
COUNTY OF SAN DIEGO	SHARE OF PC REVENUE - MAY 2016	323957	6/21/16	9,555.05
DANIELS TIRE SERVICE	RECAPPING TIRES / PW	323958	6/21/16	2,183.09
DUNBAR ARMORED INC	ARMORED SERVICE/ FINANCE	323959	6/21/16	458.90
DURON, C	ED REIMBURSE	323960	6/21/16	27.00



**WARRANT REGISTER #51  
6/21/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ENTERPRISE FLEET MANAGEMENT	MONTHLY CHARGES FOR CITY FLEET	323961	6/21/16	14,516.51
ESGIL CORPORATION	PLAN CHECK SERVICES / BUILDING	323962	6/21/16	3,071.00
FEDEX	TRANSCRIPT DELIVERY/ CITY ATTN	323963	6/21/16	50.80
FERNANDEZ, K	ED REIMBURSEMENT	323964	6/21/16	1,200.00
GEORGE WATERS NUTRITION CENTER	BOXED LUNCHES - COMM SVC DAY	323965	6/21/16	2,100.00
GEORGE WATERS NUTRITION CENTER	NEIGHBORHOOD COUNCIL BREAKFAST	323966	6/21/16	1,062.50
GRAINGER	MOP#65179 SUPPLIES / PW	323967	6/21/16	131.31
HINDERLITER DE LLAMAS & ASSOC	CONTRACT SVCS - SALES TAX 2ND QTR	323968	6/21/16	3,355.22
HINDERLITER DE LLAMAS & ASSOC	AUDIT SVCS- SALES TAX 4TH QTR 2015	323969	6/21/16	47.88
IXII GROUP	TUITION: DISPATCHER WELLNESS/ PD	323970	6/21/16	297.00
IXII GROUP	TUITION: DISPATCHER CUSTOMER SVC/PD	323971	6/21/16	297.00
JJJ ENTERPRISES	CITY WIDE FIRE AND SECURITY ALARM	323972	6/21/16	330.00
JUST CONSTRUCTION INC	PARADISE VALLEY RD. PED. PROJECT	323973	6/21/16	11,558.67
KIMLEY HORN AND ASSOC INC	EUCLID AVENUE PROJECT	323974	6/21/16	83,690.90
KNOX ATTORNEY SERVICE INC	PROCESS OF SERVICE/ CITY ATTN	323975	6/21/16	90.25
KTU&A	NC DOWNTOWN SPECIFIC PROJECT	323976	6/21/16	9,088.75
L B CIVIL CONSTRUCTION INC	FINAL RETENTION FOR A AVE GREEN ST PROJECT	323977	6/21/16	23,002.36
LUCAS, M	RIMB: IAFC FIRE RESCUE MED	323978	6/21/16	136.15
M A STEVENS CONSTRUCTION INC	LIBRARY REMODEL PROJECT	323979	6/21/16	69,331.04
MABPA	MEMBERSHIP FEES/ M. RIOS	323980	6/21/16	250.00
MABPA	MEMBERSHIP FEES/ R MORRISON	323981	6/21/16	250.00
METRO AUTO PARTS DISTRIBUTOR	MOP 75943. AUTOMOTIVE SUPPLIES / PW	323982	6/21/16	141.13
METRO FIRE & SAFETY	FIRE EXTINGUISHER SYSTEM,	323983	6/21/16	210.15
MORRISON, D	REIMB: PAPER FOR CERTIFICATES	323984	6/21/16	40.84
NATIONAL CITY CHAMBER	NC TOURISM MARKETING - APR 2016	323985	6/21/16	31,913.11
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES- NUTRITION	323986	6/21/16	321.41
PEREZ, C	REIMB: INTRODUCTORY BUDGET/ FINANCE	323987	6/21/16	269.00
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTO PARTS	323988	6/21/16	163.45
PRO BUILD	MOP#45707 SUPPLIES	323989	6/21/16	1,085.15
PROJECT PROFESSIONALS CORP	PLAZA BLVD. WIDENING PROJECT	323990	6/21/16	70,426.93
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / PW	323991	6/21/16	253.77
RANDALL LAMB ASSOCIATES INC	N.C. CORRECTIVE ACTION PROJECT	323992	6/21/16	4,450.00
RON BAKER CHEVROLET	MOP#45751 AUTO PARTS	323993	6/21/16	227.62
S & J BUILDERS & RESTORATION	CITY WIDE GENERAL BUILDING REPAIRS	323994	6/21/16	2,099.00
SAM'S ALIGNMENT SERVICE	MOP#72442 AUTO PARTS	323995	6/21/16	423.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: POST CERT FIELD TRAIN/ PD	323996	6/21/16	69.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: CPT/ PD	323997	6/21/16	46.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: CPT/ PD	323998	6/21/16	46.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: CPT/ PD	323999	6/21/16	46.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: POST DUI COURSE/ PD	324000	6/21/16	23.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: CPT TUITION PAYMENT/ PD	324001	6/21/16	23.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: TRAFFIC ENFOR RADAR/ PD	324002	6/21/16	23.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: FIELD TRAINING/ PD	324003	6/21/16	23.00
SAN DIEGO MIRAMAR COLLEGE	TUITION: RADAR-LASER OPERATOR/PD	324004	6/21/16	9.20
SDG&E	GAS & ELECTRIC UTILITIES	324005	6/21/16	33,552.27
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	324006	6/21/16	119.10
SITEONE LANDSCAPE SUPPLY LLC	MOP#45720 LANDSCAPING SUPPLIES	324007	6/21/16	669.71
SPARKLETTES	WATER - COUNCIL	324008	6/21/16	2.00
SPOK INC	METROCALL PA	324009	6/21/16	655.49



**WARRANT REGISTER #51**  
**6/21/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES/ FINANCE	324010	6/21/16	1,029.11
STARTECH COMPUTERS	MOP 61744 HARD DRIVE/ MIS	324011	6/21/16	422.50
SUPERIOR READY MIX	CONCRETE DELIVERY SERVICES FOR STREET	324012	6/21/16	501.53
SWEETWATER AUTHORITY	WATER SERVICE UTILITIES	324013	6/21/16	293.18
SYSCO SAN DIEGO INC	CONSUMABLES/FOOD - NUTRITION	324014	6/21/16	4,145.53
TIERRA WEST ADVISORS INC	PROFESSIONAL SERVICES / PLANNING	324015	6/21/16	5,490.00
TOM MOYNAHAN	MOP#45734 AUTO SUPPLIES	324016	6/21/16	40.00
TRITECH SOFTWARE SYSTEMS	TUITION: PUBLIC SAFETY PEER SUPPORT/PD	324017	6/21/16	1,450.00
U S BANK	CREDIT CARD EXPENSES/ PD	324018	6/21/16	2,704.96
U S HEALTHWORKS	DOT EXAM & VACCINE	324019	6/21/16	363.00
WEST COAST ARBORISTS, INC.	CONTRACTING SERVICES FOR TREE TRIMMING	324020	6/21/16	7,707.15
WEST TECH CONTRACTING INC	PARADISE CREEK REST. PROJECT	324021	6/21/16	294,920.55
WILLY'S ELECTRONIC SUPPLY	MOP 45763 MISC SUPPLIES / MIS	324022	6/21/16	74.03
ACME SAFETY & SUPPLY CORP	MISC SIGNS	324023	6/21/16	375.45
AFFORDABLE BUTTONS COM	I LOVE NATIONAL CITY BUTTONS	324024	6/21/16	973.31
DISCOUNT SPECIALTY CHEMICALS	TOUGH SCRUBS / PW	324025	6/21/16	311.60
GEORGE'S LAWN EQUIPMENT CO	24CC LT / PARKS	324026	6/21/16	539.11
GRANICUS INC	SERVICES JUNE / MIS	324027	6/21/16	1,702.35
GTC SYSTEMS INC	PRODUCTION SNS RENEWAL	324028	6/21/16	24,174.64
HANDY METAL MART	PS EXPANDED 3/4 / PW	324029	6/21/16	64.53
LINCOLN AQUATICS	ONE TIME USE WRIST BANDS / CSD	324030	6/21/16	612.03
LINE X SAN DIEGO	HUSKY FLOOR LINERS / PW	324031	6/21/16	355.35
MOSSY NISSAN	NISSAN VEHICLE PURCHASES FOR FY16	324032	6/21/16	31,512.76
OFFICE SOLUTIONS BUSINESS	STANDARD GRADE RESIN	324033	6/21/16	1,236.06
ORIENTAL TRADING COMP LLC	MULTICULTURAL FOAM FOOT SHAPES / CSD	324034	6/21/16	345.31
PRO-TECH INDUSTRIES	ORANGE DEODORANT BEAD BAGS	324035	6/21/16	330.57
R J SAFETY SUPPLY	ORANGE TWO TONE VESTS	324036	6/21/16	297.79
S & S WELDING	SPECIAL GALVANIZED/ PW	324037	6/21/16	414.20
SAN DIEGO PLASTICS INC	WHITE PVCX SHT 3MM 1/8"	324038	6/21/16	345.64
SOUTH BAY COMMUNITY SERVICES	HOME INVESTMENT PARTNERSHIP AGREEMENT	324039	6/21/16	66,813.00
SOUTH COAST EMERGENCY	SENSOR, PRESSURE FRC 0-6	324040	6/21/16	1,455.59
SPEEDPRO IMAGING	MATERIAL / PW	324041	6/21/16	233.00
STAPLES BUSINESS ADVANTAGE	STAPLES SAFECO REVEAL MAGAZINE	324042	6/21/16	845.93
THE HOME DEPOT CREDIT SERVICES	HDX 17 GAL TOTE	324043	6/21/16	58.13
THE SAN DIEGO UNION TRIBUNE	TOWING CONTRACT SERVICES	324044	6/21/16	175.00
TRI TECH REPROGRAPHICS	OVERSIZED PLANS	324045	6/21/16	87.64
VULCAN MATERIALS COMPANY	CL 2 BASE	324046	6/21/16	153.04
WAXIE SANITARY SUPPLY	JANITORIAL SUPPLIES-PW	324047	6/21/16	2,194.30
Z A P MANUFACTURING INC	RED EC FILM	324048	6/21/16	450.96
			<b>A/P Total</b>	<b>1,544,280.96</b>
<b>WIRED PAYMENTS</b>				
TRISTAR RISK MANAGEMENT	MAY 2016 WC REPLENISHMENT	585822	6/15/16	54,365.71
TRISTAR RISK MANAGEMENT	PREFUND FOR STEVEN CESNAUSKAS	585837	6/15/16	16,818.75

**PAYROLL**

Pay period	Start Date	End Date	Check Date	
13	6/7/2016	6/20/2016	6/29/2016	939,628.94

## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
JERRY CAÑO, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
ALBERT MENDIVIL, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF AUGUST, 2016.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #52 for the period of 06/22/16 through 06/28/16 in the amount of \$656,714.71. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Warrant Register #52 for the period of 06/22/16 through 06/28/16 in the amount of \$656,714.71.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 06/22/16 through 06/28/16.

Consistent with Department of Finance practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Dell Marketing L P	324074	95,460.81	Poweredge R930 1TB Ram / MIS
Kinsman Construction Inc	324090	188,071.39	P.D. Building Improv. Project

**FINANCIAL STATEMENT:**

**APPROVED:** 

Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

MIS

Reimbursement total \$656,714.71

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Ratification of warrants in the mount of \$656,714.71

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #52



**WARRANT REGISTER #52**  
**6/28/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
AAIR PURIFICATION SYSTEMS	LOWER HOSE FOR EXHAUST SYSTEM / PW	324049	6/28/16	218.08
ACE UNIFORMS & ACCESSORIES INC	SNAG PERFORMAN CORE POLO / FIRE	324050	6/28/16	269.95
ACME SAFETY & SUPPLY CORP	UNI RIVETS / STREETS DIVISION	324051	6/28/16	111.18
AFFORDABLE BUTTONS COM	CUSTOM BUTTONS / COUNCIL	324052	6/28/16	168.19
ALDEMCO	CONSUMABLES- NUTRITION CENTER	324053	6/28/16	1,413.91
ALIGNMENT EXPRESS	ATF DEX MERC QT / PW	324054	6/28/16	1,536.67
ALPHA PROJECT FOR THE HOMELESS	EXPENSE REIMB / MAY 2016 / NSD	324055	6/28/16	10,000.00
AT&T	PHONE SERVICES 5/13/16 - 6/12/16	324056	6/28/16	6,215.38
AT&T	PHONE SERVICES 6/13/16 - 7/12/16	324057	6/28/16	147.22
AT&T	PHONE SERVICES JUNE 2016	324058	6/28/16	44.58
AT&T MOBILITY	WIRELESS SERVICE 5/06/16 - 6/05/16	324059	6/28/16	2,669.36
BOOT WORLD	MOP#64096 SAFETY BOOTS	324060	6/28/16	444.36
BSN SPORTS	XT685 TREADMILL	324061	6/28/16	7,384.87
CHILDREN'S HOSPITAL	SAFE ROUTES TO SCHOOL CYCLE 3 PROJECT	324062	6/28/16	7,107.38
CHILDREN'S HOSPITAL	CASE 16-01671 / FORENSIC INTERVIEW / PD	324063	6/28/16	448.00
CLAIMS MANAGEMENT ASSOCIATES	RISK AND CLAIMS SERVICES / MAY 2016	324064	6/28/16	5,760.00
COX COMMUNICATIONS	INTERNET SERVICE JUN 2016	324065	6/28/16	3,774.37
CPP PRINTING	BACK DROP BANNER / CSD	324066	6/28/16	133.91
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324067	6/28/16	6,395.97
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324068	6/28/16	3,268.16
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324069	6/28/16	2,652.30
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324070	6/28/16	2,379.93
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324071	6/28/16	999.48
DALEY & HEFT LLP	LIABILITY CLAIM COSTS / RISK	324072	6/28/16	121.38
DANIELS TIRE SERVICE	TIRES / PW	324073	6/28/16	2,781.00
DELL MARKETING L P	POWEREDGE R930 1TB RAM / MIS	324074	6/28/16	95,460.81
DEPARTMENT OF JUSTICE	NEW EMP FINGERPRINT TEST RESULTS	324075	6/28/16	834.00
DISPLAYS2GO	CBSD43SV DISPLAY CASE	324076	6/28/16	401.25
D-MAX ENGINEERING	REFUND / T&A# 90120 / PROJECT 2016032W	324077	6/28/16	1,345.00
DPREP INC	CRITICAL INDICENT RESPONSE TRAINING / PD	324078	6/28/16	4,250.00
E2 MANAGE TECH INC	N.C. 2020 HOOVER AVE. PROJECT	324079	6/28/16	1,562.50
EDWARD PROFESSIONAL ADVISORS	2016 TEAM BUILDING WORKSHOP / PD	324080	6/28/16	4,740.00
EXPERIAN	CREDIT CHECKS/INVESTIGATIONS- PD	324081	6/28/16	35.50
FEDEX	FEDEX SERVICES JUN 10, 2016	324082	6/28/16	171.45
FLYERS ENERGY LLC	MOBIL FLEET 15W40 / PW	324083	6/28/16	1,591.57
FON JON PET CARE CENTER	KP GROOMING AND BOARDING/MARKO	324084	6/28/16	490.00
GRAINGER	MOP#65179 SUPPLIES / PW	324085	6/28/16	30.02
HARRIS & ASSOCIATES	8TH ST. CORR. SMART PROJECT	324086	6/28/16	2,631.25
HUSS INC	TEMP SENSOR 2 PIN CONNECTOR / PW	324087	6/28/16	574.86
KALANKIEWICZ, C	ADV SUBS / DUI SEMINAR / PD	324088	6/28/16	640.00
KANE BALLMER & BERKMAN	LEGAL / OVERSIGHT BOARD / S A	324089	6/28/16	1,800.00
KINSMAN CONSTRUCTION INC	P.D. BUILDING IMPROV. PROJECT	324090	6/28/16	188,071.39
KONE	CITY WIDE ELEVATOR MAINTENANCE	324091	6/28/16	3,195.00
KONICA MINOLTA	COPIER EQUIPMENT LEASE MAY 2016	324092	6/28/16	7,591.43
L N CURTIS & SONS	GOLD GEMINI UNIFORMS / FIRE	324093	6/28/16	13,227.64
LANGUAGE LINE SERVICES	INTERPRETATION SERVICES / PD	324094	6/28/16	71.00
LIEBERT CASSIDY WHITMORE	FIRE PAYROLL FLSA AUDIT	324095	6/28/16	65.00
LINE X SAN DIEGO	FLOOR LINERS / PW	324096	6/28/16	403.14
M A STEVENS CONSTRUCTION INC	LIBRARY REMO	324097	6/28/16	43,639.93



**WARRANT REGISTER #52**  
**6/28/2016**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MANNING & KASS	LIABILITY CLAIM COSTS / RISK	324098	6/28/16	110.00
MARLO'S AUTO SPECIALTIES	REPAIR AND REFINISH DOORS / PW	324099	6/28/16	475.00
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS / RISK	324100	6/28/16	5,350.02
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS / RISK	324101	6/28/16	3,714.90
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS / RISK	324102	6/28/16	697.50
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COSTS / RISK	324103	6/28/16	17.00
MENDIVIL, A	REIMB / SHIRTS & EMBROIDERY	324104	6/28/16	204.02
MORALES, I	GOLF COURSE LEASE FY 2017 / CSD	324105	6/28/16	2,000.00
MOTOROLA SOLUTIONS INC	M25URS9PWIAN, APX 6500 7/800MHZ MID	324106	6/28/16	19,900.64
NAPA AUTO PARTS	MOP#45735 AUTO PARTS	324107	6/28/16	83.84
NATIONAL CITY CAR WASH	MOP#72454 AUTO MAINT / PW	324108	6/28/16	410.00
NBS	LANDSCAPE MAINTENANCE / S A	324109	6/28/16	985.00
ONLC TRAINING CENTERS	DATACENTER OPERATIONS COURSES / MIS	324110	6/28/16	10,662.20
PACIFIC AUTO REPAIR	MOP#72448 AUTO PARTS	324111	6/28/16	1,013.39
PACIFIC SAFETY CENTER	TRAINING / TRENCHING AND EXCAVATING / PW	324112	6/28/16	310.00
PARTS AUTHORITY METRO LLC	MOP#75943 AUTO PARTS	324113	6/28/16	1,058.89
PORAC LEGAL DEFENSE FUND	LEGAL DEFENSE FUND / PD	324114	6/28/16	148.50
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTO PARTS	324115	6/28/16	192.17
PRO BUILD	MOP 45707 SUPPLIES - PD	324116	6/28/16	2,045.37
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / PARKS	324117	6/28/16	447.71
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICE - PW	324118	6/28/16	25.08
QUESTYS SOLUTIONS	CMX SEARCH TRAINING / CITY CLERK	324119	6/28/16	1,200.00
R J SAFETY SUPPLY	ORANGE VEST TWO TONE / PW	324120	6/28/16	82.84
RED WING SHOES STORE	SAFETY BOOTS / STREETS	324121	6/28/16	125.00
ROADONE	MOP 75948 TOWING SERVICE - PD	324122	6/28/16	180.00
RON BAKER CHEVROLET	MOP#45751 AUTO PARTS	324123	6/28/16	1,172.80
ROUNDS, R	ADV SUBS / FBI ACADEMY / PD	324124	6/28/16	1,162.50
S & S WELDING	TRAF GRATE GALVANIZED / PW	324125	6/28/16	414.20
S D COUNTY SHERIFF'S DEPT	SDCO RANGE USE / PD	324126	6/28/16	650.00
SAFRAN MORPHOTRUST	NEW EMPLOYEE FINGERPRINT	324127	6/28/16	50.00
SAN DIEGO HYDRAULICS	CONTROLLER / PW	324128	6/28/16	831.82
SAN DIEGO PET SUPPLY	MOP 45753 K-9 FOOD - PD	324129	6/28/16	535.09
SAN DIEGO REGIONAL COMPUTER	FY 2016 INVESTIGATIVE SERVICE FEE / PD	324130	6/28/16	12,000.00
SDG&E	GAS & ELECTRIC UTILITIES	324131	6/28/16	20,852.69
SHERWIN WILLIAMS	TITAN POWRTWIN PT4900 PLUS / NSD	324132	6/28/16	3,268.91
SHRED IT USA	SHREDDING SERVICES FOR MAY 2016	324133	6/28/16	92.95
SITEONE LANDSCAPE SUPPLY LLC	MOP#45720 HORTICULTURAL ITEMS	324134	6/28/16	334.37
SMART & FINAL	MOP 45756 MISC SUPPLIES - PD	324135	6/28/16	345.28
SMART & FINAL	MOP 45756 WATER - PD	324136	6/28/16	37.00
SOUTHERN CALIF TRUCK STOP	MOP#45758 OIL	324137	6/28/16	93.88
SOUTHERN CALIFORNIA SOIL	PLAZA BLVD. AND N AVE. PROJECT	324138	6/28/16	8,461.50
SOUTHWEST SIGNAL SERVICE	MONTHLY MAINTENANCE / PW	324139	6/28/16	12,636.95
SPEEDPRO IMAGING	VINYL SUPPLY / PW	324140	6/28/16	298.00
STAPLES BUSINESS ADVANTAGE	MOP 45704 SUPPLIES - PD	324141	6/28/16	1,188.73
STILES, J	EDUCATIONAL REIMBURSEMENT	324142	6/28/16	230.00
STINNETT, R	MEAL REIMB / FAITH BASED MEETING / PD	324143	6/28/16	139.12
SWEETWATER AUTHORITY	WATER SERVICE UTILITIES	324144	6/28/16	27,268.34
THE HOME DEPOT CREDIT SERVICES	ECHO GAS BLOWER / PW	324145	6/28/16	389.86
THE LIGHTHOUSE INC	MOP#45726 AU	324146	6/28/16	334.69



## WARRANT REGISTER #52

6/28/2016

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
THOMSON REUTERS	CLEAR INVESTIGATIVE DATABASES	324147	6/28/16	473.49
TOPECO PRODUCTS	MOP#63849 AUTO PARTS	324148	6/28/16	272.50
TUFF PRODUCTS	LEATHER GEAR / POLICE	324149	6/28/16	680.40
TURF STAR	BLADE ROTARY / PW	324150	6/28/16	342.82
VALLEY INDUSTRIAL SPECIALTIES	MOP#46453 SUPPLIES	324151	6/28/16	44.84
VCA MAIN ST ANIMAL HOSPITAL	K9 VET CARE /POLICE	324152	6/28/16	31.93
VERIZON WIRELESS	CELLULAR SERVICE MAY 05 - JUN 04 2016	324153	6/28/16	851.31
WESTFLEX INDUSTRIAL	MOP#63850 PIPES / PW	324154	6/28/16	1,426.04
WILLY'S ELECTRONIC SUPPLY	MOP 45763 SHARE WIRELESS / MIS	324155	6/28/16	1,522.36
GONZALEZ, M	REFUND: WAGE GARNISHMENT / LIBRARY	324156	6/28/16	67.00
BEAUCHESNE, D	ADV SUBS / VIOLENT CRIME ANALYSIS / PD	324157	6/28/16	659.00
CAMACHO, J	ADV SUBS / 2016 BAKERSFIELD K9 TRAILS / PD	324158	6/28/16	201.95
NUTTALL, M	ADV SUBS / 2016 BAKERSFIELD K9 TRAILS / PD	324159	6/28/16	201.95

**A/P Total      590,271.71**

## WIRED PAYMENTS

TRISTAR RISK MANAGEMENT	PREFUND FOR CHRISTOPHER MILLER	520041	6/23/16	47,745.00
TRISTAR RISK MANAGEMENT	PREFUND REQUEST FOR JOHN MCGOUGH	528807	6/22/16	14,645.00

## SECTION 8 HAPS PAYMENTS

Start Date	End Date	
6/22/2016	6/28/2016	4,053.00

GRAND TOTAL

**\$ 656,714.71**

## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
JERRY CANO, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
ALBERT MENDIVIL, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF AUGUST, 2016.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Public Hearing – Conditional Use Permit for beer and wine sales at Gama Produce located at 1605 East 4th Street. (Applicant: Susana Maza) (Case File 2015-28 CUP) (Planning)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing – Conditional Use Permit for beer and wine sales at Gama Produce located at 1605 East 4<sup>th</sup> Street. (Applicant: Susana Maza) (Case File 2015-28 CUP)

**PREPARED BY:** Martin Reeder, AICP

*MR*

**DEPARTMENT:** Planning

**PHONE:** 336-4313

**APPROVED BY:**



**EXPLANATION:**

Gama Produce applied for a Conditional Use Permit (CUP) to sell beer and wine for off-site consumption. The market has been in operation since the year 2000. Hours of operation of the market are 7:30 a.m. to 8:00 p.m. Monday to Friday, and 7:30 a.m. to 7:00 p.m. on the weekends. Proposed alcohol sales hours would be the same. A Type 20 (Off-Sale Beer and Wine) license is currently being processed with the California Department of Alcoholic Beverage Control (ABC).

The Planning Commission voted to deny the Conditional Use Permit based on overconcentration of existing alcohol licenses and the high area crime rate. City Council considered a Notice of Decision for this item on June 7, 2016, at which time the item was set for public hearing.

The attached background staff report describes the proposal in detail.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not a project per CEQA

**ORDINANCE:** INTRODUCTION:

☐

FINAL ADOPTION:

☐

**STAFF RECOMMENDATION:**

Staff recommends denial of the Conditional Use Permit.

**BOARD / COMMISSION RECOMMENDATION:**

The Planning Commission denied the Conditional Use Permit.

Ayes: Baca, Garcia, Sendt

Noes: DeLaPaz, Flores

Abstain: Bush, Yamane

**ATTACHMENTS:**

- |                                      |   |
|--------------------------------------|---|
| 1. Overhead                          | 5. Reduced Plans                              |
| 2. Background Report                 | 6. Site Photos                                |
| 3. Recommended Findings & Conditions | 7. Public Hearing Notice                      |
| 4. Department and Agency comments    | 8. Planning Commission Resolution No. 2016-11 |

2015-28 CUP – Gama Produce (beer and wine) – Overhead



## **BACKGROUND REPORT**

### **Overview**

Gama Produce has applied for a Conditional Use Permit (CUP) to sell beer and wine for off-site consumption. The market has been in operation since the year 2000. Hours of operation of the market are 7:30 a.m. to 8:00 p.m. Monday to Friday, and 7:30 a.m. to 7:00 p.m. on the weekends. A Type 20 (Off-Sale Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

### **Site Characteristics**

The project location is Gama Produce, a neighborhood market at the northeast corner of East 4<sup>th</sup> Street and Palm Avenue in the Minor Mixed-Use Corridor (MXC-1) zone. The existing market is approximately 2,800 square feet in size and has a 13-space parking lot. The property is located south and west of the California Army National Guard Armory. Gama Produce has been in business at this location since 2000.

### **Proposed Use**

The applicant is requesting to sell beer and wine for off-site consumption between the current operating hours of 7:30 a.m. to 8:00 p.m. Monday to Friday, and 7:30 a.m. to 7:00 p.m. on the weekends. Beer and wine would be stored in a cooler located in the rear of the store.

### **Analysis**

Section 18.30.050 of the National City Land Use Code allows for off-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUP's include expanded notification, a community meeting, and distance requirements.

**Mailing** – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications, as was done in this case. 356 people were notified by mail of this public hearing.

**Community Meeting** – Pursuant to Section 18.30.050 (C), a community meeting was held Wednesday, January 4, 2016 at 5:00 p.m. at the National City Chamber of Commerce. The applicant has stated that four people were in attendance. A copy of the advertisement, sign-in sheet, and minutes are attached.

**Distance Requirements** – Chapter 18.030.050 (D) requires that businesses that sell alcohol as a principal use maintain a 660-foot distance from schools. However, sales of alcohol in this case would be accessory to a market, and would thus not be subject to this requirement. The nearest school is El Toyon Elementary School, which is located over 800 feet away and is east of Interstate 805.

**Required findings**

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Minor Mixed-Use Corridor zone pursuant to a Conditional Use Permit, and the proposed alcohol sales meet the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A market is a retail use that is consistent with the Minor Mixed-Use land use designation contained in the Land Use and Community Character (LU) section element of the General Plan. In addition, the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing market, which was already analyzed for traffic impacts when it was constructed. In addition, because the sale of alcohol would be accessory to the sale of other products, no measurable increase in traffic is expected. Access to and from the site is provided by Palm Avenue and East 4<sup>th</sup> Street, both collector streets. Palm Avenue north of 4<sup>th</sup> currently operates at a Level of Service (LOS) of F, while the street south of 4<sup>th</sup> has a LOS of E. East 4<sup>th</sup> Street in this location is operating at a LOS of D. Both streets are operating at or above capacity, hence the poor levels of service. However, the sale of alcohol is not expected to result in an increase in Average Daily Trips (ADT) such that the LOS would be affected, particularly as the area devoted to alcohol sales is minimal.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use would be accessory to the existing market use, which is located in an existing commercial area. The addition of alcohol sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act.

The project is not considered a project under CEQA (California Environmental Quality Act), as no development is proposed. Given that there is no calculable increase in traffic and no other impacts are anticipated staff is of the opinion that the project would not result in any physical changes to the environment.

7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because it will contribute to the continued viability of a market, an established and allowed use in the Minor Mixed-Use Corridor Zone.

In this case the alcohol sales will contribute to the viability of a market, an established and allowed use in the Minor Mixed-Use Corridor Zone. Alcohol sales would add to the convenience of the consumer, in that customer would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their grocery needs.

There are also three findings for denial based on the high crime designation and amount of existing off-sale outlets, as discussed in the "Alcohol Sales Concentration/Location" section below.

## **Department and Agency Comments**

**Alcohol Sales Concentration/Location** – Per ABC, there are currently four off-sale permits issued in the subject census tract (220). These permits are:

<b>Name</b>	<b>Address</b>	<b>License Type*</b>	<b>CUP</b>
Kings Liquor	1626 East 8 <sup>th</sup> Street	21	-
7-Eleven	1601 East 18 <sup>th</sup> Street	20	-
Carnival Supermarket	1750 East 8 <sup>th</sup> Street	21	-
National City Shell	1601 East 8 <sup>th</sup> Street	20	Y

\* Type 20 – Off-Sale Beer and Wine  
Type 21 - Off-Sale General

Of the four licenses, three are markets/liquor stores and one a gas station. The subject use is consistent with other off-sale businesses, all of which are consistent with the Mixed-Use zones.

Census tract 220 includes the area of between Palm Avenue and Interstate 805, and between Division Street and East 18<sup>th</sup> Street. The attached census tract map shows the location of the subject tract. ABC recommends a total of two off-sale alcohol permits be issued in this census tract, where four exist.

### **Police Department**

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 21) had a current (January to August 2015) crime rate of 413.8%, above the 120% considered to be a high crime area. Crimes are categorized as either Part I or Part II crimes. Part I crimes are serious crimes such as homicide, robbery, assault, burglary, vehicle theft, etc. Part II crimes are less serious in nature and less commonly reported. Part II crimes include simple assault, embezzlement, narcotics, and weapons charges (among others). There is generally no specific crime reporting for alcohol-related occurrences. Alcohol is typically just referenced as a contributing factor to a particular crime (robbery, assault, etc.).

Consistent with recent policy, PD provided a Risk Assessment report on the property. The assessment assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, Gama Produce received 15 points, which would indicate a medium risk. The Risk Assessment is attached.

### **Institute for Public Strategies (IPS)**

IPS encouraged that staff and management attend Responsible Beverage Sales and Service training. The training is included as a Condition of Approval.

### **Conditions of Approval**

Standard Conditions of Approval have been included with this permit, as well as conditions specific to off-sale alcohol sales per Council policy 707 (container size, no single sales, signage, RBSS training, etc.).

### **Planning Commission Action**

Planning Commission conducted a public hearing on February 8, 2016, which resulted in a tie vote (no action considered taken). A new hearing was held on May 2, 2016. Seven speakers spoke in support of the proposal and seven against. Concerns were raised regarding crime rates and oversaturation of alcohol licenses. Commissioners shared the same concerns and asked additional questions regarding other businesses, training, and display area. The Commission voted to deny the Conditional Use Permit based on overconcentration of existing alcohol licenses and the high area crime rate.

### **Summary**

The proposed use is consistent with the General Plan, because alcohol sales for off-site consumption are a conditionally-allowed use in the Minor Mixed-Use Corridor Zone. The proposed use would be accessory to the existing market use in an existing commercial area, which is not expected to increase the demand for parking or other services on the property. Gama Produce has been in business at this location since 2000. Furthermore, the addition of alcohol sales is not expected to have any significant effects on the area. Although the census tract in which the market is located is over-concentrated with regard to off-sale alcohol licenses, the subject location is a produce market where alcohol will be small portion of overall sales.

The options available to the City Council are to approve or deny the item, or to continue the item in order to request additional information. In the case of approval or denial, staff will return with a resolution at a subsequent date.

## **RECOMMENDED FINDINGS FOR APPROVAL**

2015-28 CUP, 1605 East 4<sup>th</sup> Street

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for off-site consumption are a conditionally-allowed use in the Minor Mixed-Use Corridor Zone.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A market is a retail use that is consistent with the Minor Mixed-Use land use designation contained in the Land Use and Community Character (LU) section element of the General Plan. In addition, the property is not within a Specific Plan area
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, because the proposed use would be accessory to an existing market use in an existing commercial area, and because the sale of beer is not expected to appreciably increase traffic on East 4<sup>th</sup> Street or Palm Avenue based on the current capacity and traffic numbers.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed use would be accessory to an existing market use in an existing commercial area, which is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be compatible with other businesses in the same census tract; and because the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use is not a project per the Act; There is no calculable increase in traffic and no

other impacts are anticipated; therefore, the project would not result in any physical changes to the environment.

7. That the proposed use is deemed essential and desirable to the public convenience and necessity, because it will contribute to the continued viability of a market, an established and allowed use in the Minor Mixed-Use Corridor Zone. Alcohol sales would add to the convenience of the consumer, in that customer would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their grocery needs.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

#### **RECOMMENDED FINDINGS FOR DENIAL**

2015-28 CUP, 1605 East 4<sup>th</sup> Street

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – four off-sale outlets are permitted where two are recommended by the California Department of Alcoholic Beverage Control. – and the area has a high crime rate.
2. That the proposed use is not deemed essential and desirable to the public convenience and necessity, because four other off-sale alcohol outlets are located in the same census tract as the subject property.
3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

## **RECOMMENDED CONDITIONS OF APPROVAL**

2015-28 CUP, 1605 East 4<sup>th</sup> Street

### **General**

1. This *Conditional Use Permit* authorizes the sale of beer and wine at an existing market located at 1605 East 4<sup>th</sup> Street. The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit A, Case File No. 2015-28 CUP, dated 11/18/2015.
2. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
3. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
4. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.
5. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Executive Director that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

### **Planning**

6. The sale of alcoholic beverages shall be limited to the hours of 7:30 a.m. to 8:00 p.m. Monday to Friday and 7:30 a.m. to 7:00 p.m. on weekends.
7. The sale of beer or malt beverages in quantities of quarts, 22-ounce, 32-ounce, 40-ounce, or similar size containers is prohibited.
8. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.

9. No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
10. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's prepackaged multi-unit quantities.
11. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
12. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
13. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
14. Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
  - a. "No open alcoholic beverage containers are allowed on these premises."
  - b. "No loitering is allowed."
15. Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
16. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
17. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.

18. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

Police

19. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.



**NATIONAL CITY POLICE DEPARTMENT**  
**ALCOHOL BEVERAGE CONTROL**  
**RISK ASSESSMENT**

DATE: 12/03/15

BUSINESS NAME: Gama Produce

ADDRESS: 1606 East 4th Street, National City, CA 91950

OWNER NAME: Carlos & Susana Maza DOB: Not Disclosed

OWNER ADDRESS: 1605 East 4th Street, National City, CA 91950

(add additional owners on page 2)

**I. Type of Business**

- ☐ Restaurant (1 pt)  
☒ Market (2 pts)  
☐ Bar/Night Club (3 pts)

**II. Hours of Operation**

- ☐ Daytime hours (1 pt)  
☒ Close by 10pm (2 pts)  
☐ Close after 10pm (3 pts)

**III. Entertainment**

- ☐ Music (1 pt)  
☐ Live Music (2 pts)  
☐ Dancing/Live Music (3 pts)

**IV. Crime Rate**

- ☐ Low (1 pt)  
☐ Medium (2 pts)  
☒ High (3 pts)

**V. Alcohol Businesses per Census Tract**

- ☐ Below (1 pt)  
☐ Average (2 pts)  
☒ Above (3 pts)

**Notes:**

Crime Rate - over 120% (413.8%)

Census Tract - 220

Allowed Type 20 - (Off-sale, Beer & Wine)

Currently allowed On-sale - 5 / Currently have - 3

Currently allowed Off-sale - 2 / Currently have - 4

Over saturation

VI. Calls for Service at Location (for previous 6 months)

- ☐ Below (1 pt)  
☒ Average (2 pts)  
☐ Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- ☐ Mostly commercial businesses (1 pt)  
☐ Some businesses, some residential (2 pts)  
☒ Mostly residential (3 pts)

Low Risk ( 12pts or less)  
Medium Risk (13 – 18pts)  
High Risk (19 – 24pts)

**Total Points** 15

VIII. Owner(s) records check

- ☒ No criminal incidents (0 pts)  
☐ Minor criminal incidents (2 pts)  
☐ Multiple/Major criminal incidents (3 pts)

OWNER NAME: Carlos Maza DOB: Not Disclosed

OWNER ADDRESS: 1605 East 4th Street, National City, CA 91950

OWNER NAME: Susana Maza DOB: Not Disclosed

OWNER ADDRESS: 1605 East 4th Street, National City, CA 91950

**Recommendation:**

- NCPD does not have a proactive enforcement unit for ABC outlets.
- Within 100' of residences, El Toyon school and park near-by.
- (5) on-sale and (2) Off-sale licenses are allowed in the census tract
- Census tract 220 currently has (3) On-sale and (4) Off-Sale.
- Over saturation by double for Off-Sale establishments.
- ABC states - Area is considered "High Crime Rate," The census tract is "Over Concentrated."
- Crime Rate for Beat 21 - 413.8%, nearly 4 times the rate of a "High Crime Rate" defined by ABC

Completed by: Graham Young, Lt. Badge ID: 365



**California Department of Alcoholic Beverage Control  
For the County of SAN DIEGO - (Retail Licenses)  
and Census Tract = 220**

Report as of 10/25/2015

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	264361	ACTIVE	48	9/20/1991	1/31/2016	BUD MOHLER INC 419 PALM AVE NATIONAL CITY, CA 91950 Census Tract: 0220.00	ALOTTAS	3515 VALLEY VISTA RD BONITA, CA 91902	3708
2)	350706	ACTIVE	21	3/12/1999	5/31/2016	SHOSHANI, GEORGE HANNA 1626 E 8TH ST NATIONAL CITY, CA 91950 Census Tract: 0220.00	KINGS LIQUOR		3708
3)	398986	ACTIVE	20	5/28/2003	5/30/2016	7 ELEVEN INC 1601 E 18TH ST NATIONAL CITY, CA 91950 Census Tract: 0220.00	7 ELEVEN 2131 17265	PO BOX 219088, ATT: 7 ELEVEN LICENSING DALLAS, TX 75221-9088	3708
4)	408542	ACTIVE	21	3/25/2004	12/31/2015	CARNIVAL SUPERMARKET INC 1750 E 8TH ST NATIONAL CITY, CA 91950 Census Tract: 0220.00	CARNIVAL SUPERMARKET		3708
5)	459110	ACTIVE	41	11/20/2007	10/31/2015	FHOP INC 1900 E PLAZA BLVD NATIONAL CITY, CA 91950-3703 Census Tract: 0220.00	FAMILY HOUSE OF PANCAKES		3708
6)	506904	ACTIVE	41	7/25/2011 2:49:59 PM	5/30/2016	LI, SHIHUI 1819 E PLAZA BLVD NATIONAL CITY, CA 91950-3701 Census Tract: 0220.00	BISTRO CITY		3708
7)	540773	ACTIVE	20	4/10/2014 1:32:10 PM	3/31/2016	VINTNERS DISTRIBUTORS INC 1601 E 8TH ST NATIONAL CITY, CA 91950 Census Tract: 0220.00	NATIONAL CITY SHELL	41805 ALBRAE ST, 2ND FL FREMONT, CA 94538-3120	3708

alone - 3

OFF-SALB - 4

--- End of Report ---

For a definition of codes, view our [glossary](#).

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**  
**NUMBER OF LICENSES AUTHORIZED**  
**BY CENSUS TRACT**

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
SAN DIEGO	3,227,496	790	1,564	203.06	8,894	11	5
SAN DIEGO	3,227,496	790	1,564	203.07	7,170	9	4
SAN DIEGO	3,227,496	790	1,564	203.08	5,743	7	3
SAN DIEGO	3,227,496	790	1,564	203.09	3,945	4	2
SAN DIEGO	3,227,496	790	1,564	204.01	2,369	2	1
SAN DIEGO	3,227,496	790	1,564	204.02	4,107	5	2
SAN DIEGO	3,227,496	790	1,564	204.04	5,070	6	3
SAN DIEGO	3,227,496	790	1,564	204.05	3,412	4	2
SAN DIEGO	3,227,496	790	1,564	205.00	5,396	6	3
SAN DIEGO	3,227,496	790	1,564	205.01	5,560	7	3
SAN DIEGO	3,227,496	790	1,564	206.02	5,859	7	3
SAN DIEGO	3,227,496	790	1,564	207.05	4,635	5	2
SAN DIEGO	3,227,496	790	1,564	207.06	6,286	7	4
SAN DIEGO	3,227,496	790	1,564	207.07	4,734	5	3
SAN DIEGO	3,227,496	790	1,564	207.08	3,437	4	2
SAN DIEGO	3,227,496	790	1,564	207.09	8,607	10	5
SAN DIEGO	3,227,496	790	1,564	207.10	1,749	2	1
SAN DIEGO	3,227,496	790	1,564	208.01	5,230	6	3
SAN DIEGO	3,227,496	790	1,564	208.05	3,501	4	2
SAN DIEGO	3,227,496	790	1,564	208.06	5,846	7	3
SAN DIEGO	3,227,496	790	1,564	208.07	2,599	3	1
SAN DIEGO	3,227,496	790	1,564	208.09	6,778	8	4
SAN DIEGO	3,227,496	790	1,564	208.10	5,266	6	3
SAN DIEGO	3,227,496	790	1,564	208.11	5,650	7	3
SAN DIEGO	3,227,496	790	1,564	209.02	2,122	2	1
SAN DIEGO	3,227,496	790	1,564	209.03	3,182	4	2
SAN DIEGO	3,227,496	790	1,564	209.04	3,075	3	1
SAN DIEGO	3,227,496	790	1,564	210.00	4,440	5	2
SAN DIEGO	3,227,496	790	1,564	211.00	7,589	9	4
SAN DIEGO	3,227,496	790	1,564	212.02	3,156	3	2
SAN DIEGO	3,227,496	790	1,564	212.03	5,289	6	3
SAN DIEGO	3,227,496	790	1,564	212.05	6,801	8	4
SAN DIEGO	3,227,496	790	1,564	212.06	2,995	3	1
SAN DIEGO	3,227,496	790	1,564	213.02	7,361	9	4
SAN DIEGO	3,227,496	790	1,564	213.03	8,981	11	5
SAN DIEGO	3,227,496	790	1,564	213.04	2,816	3	1
SAN DIEGO	3,227,496	790	1,564	214.00	7,226	9	4
SAN DIEGO	3,227,496	790	1,564	215.00	8,846	11	5
SAN DIEGO	3,227,496	790	1,564	216.00	3,391	4	2
SAN DIEGO	3,227,496	790	1,564	218.00	2,872	2	1
SAN DIEGO	3,227,496	790	1,564	219.00	6,816	8	4
SAN DIEGO	3,227,496	790	1,564	220.00	4,186	5	2
SAN DIEGO	3,227,496	790	1,564	221.00	9,082	11	5
SAN DIEGO	3,227,496	790	1,564	9901.00	0	0	0
SAN FRANCISCO	845,602	275	1,060	101.00	8,739	13	3
SAN FRANCISCO	845,602	275	1,060	102.00	4,123	15	3
SAN FRANCISCO	845,602	275	1,060	103.00	3,852	14	3
SAN FRANCISCO	845,602	275	1,060	104.00	4,545	16	4
SAN FRANCISCO	845,602	275	1,060	105.00	2,685	9	2
SAN FRANCISCO	845,602	275	1,060	106.00	3,894	14	3
SAN FRANCISCO	845,602	275	1,060	107.00	5,592	20	5
SAN FRANCISCO	845,602	275	1,060	108.00	4,578	16	4



## ABC Report 2015 ABC Report by Beats

### Required Parameters

Reporting Period: 01/2015 to 09/2015

Agency: NATIONAL CITY

### Optional Parameters

Geographical Area:

Group by: Beat

Prior Report Number: B98S328R

Total Part 1 Crime and Part 2 Arrest for Agency: 3,238

Total Beat: 14

Average Total per Beat: 231.3

(120% or above is High Crime Area indicated by \*)

	Beat	Totals	% Average by Beat
1	011	0	0.0%
2	014	0	0.0%
3	020	969	419.0%*
4	021	957	413.8%*
5	023	763	329.9%*
6	024	545	235.6%*
7	434	0	0.0%
8	441	0	0.0%
9	514	0	0.0%
10	521	0	0.0%
11	722	0	0.0%
12	999	4	1.7%



**ABC Report  
2015 ABC Report by Beats**

**Required Parameters**

Reporting Period: 01/2015 to 09/2015

Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:

Group by: Beat

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	14
ROBBERY	112
AGGRAVATED ASSAULT	165
BURGLARY	132
LARCENY	720
MOTOR VEHICLE THEFT	211
<b>Total Part I Crime:</b>	<b>1,354</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	44
OTHER PART II CRIMES	1,202
CHILD AND FAMILY	38
DEADLY WEAPONS	24
EMBEZZLEMENT	8
FRAUD	26
GAMBLING	0
MALICIOUS MISCHIEF	14
NARCOTICS	342
SEX CRIMES	17
FORGERY	3
OTHER NON-CRIMINAL	166
<b>Total Part II Arrest:</b>	<b>1,884</b>

Total = Part I Crime + Part II Arrest for Agency:	3,238
Total Agency:	1
(120% is considered high crime area)	
Average Total Per Agency:	3,238



**ABC Report**  
**2015 ABC Report by Beats**

**Required Parameters**

Reporting Period: 01/2015 to 09/2015  
Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:  
Group by: Beat 020

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	6
ROBBERY	34
AGGRAVATED ASSAULT	31
BURGLARY	22
LARCENY	235
MOTOR VEHICLE THEFT	44
<b>Total Part I Crime:</b>	<b>372</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	12
OTHER PART II CRIMES	336
CHILD AND FAMILY	9
DEADLY WEAPONS	10
EMBEZZLEMENT	3
FRAUD	10
GAMBLING	0
MALICIOUS MISCHIEF	4
NARCOTICS	138
SEX CRIMES	8
FORGERY	1
OTHER NON-CRIMINAL	66
<b>Total Part II Arrest:</b>	<b>597</b>

Beat Total = Part I Crime + Part II Arrest: 969  
BeatAve. ( Agency / Beat ): 231.3  
Agency Wide Total = Part 1 Crime + Part II Arrest: 3,238  
Beat Total as % of Beat Average: : 419.0%  
(120% is considered high crime area)



**ABC Report  
2015 ABC Report by Beats**

**Required Parameters**

Reporting Period: 01/2015 to 09/2015

Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:

Group by: Beat 021

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	3
ROBBERY	33
AGGRAVATED ASSAULT	57
BURGLARY	53
LARCENY	169
MOTOR VEHICLE THEFT	66
<b>Total Part I Crime:</b>	<b>381</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	16
OTHER PART II CRIMES	384
CHILD AND FAMILY	15
DEADLY WEAPONS	5
EMBEZZLEMENT	0
FRAUD	11
GAMBLING	0
MALICIOUS MISCHIEF	4
NARCOTICS	94
SEX CRIMES	7
FORGERY	0
OTHER NON-CRIMINAL	40
<b>Total Part II Arrest:</b>	<b>576</b>

Beat Total = Part I Crime + Part II Arrest: 957

BeatAve. ( Agency / Beat ): 231.3

Agency Wide Total = Part 1 Crime + Part II Arrest: 3,238

Beat Total as % of Beat Average: : 413.8%

(120% is considered high crime area)



# ABC Report 2015 ABC Report by Beats

**Required Parameters**

Reporting Period: 01/2015 to 09/2015  
Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:  
Group by: Beat 023

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	3
ROBBERY	35
AGGRAVATED ASSAULT	41
BURGLARY	39
LARCENY	255
MOTOR VEHICLE THEFT	52
<b>Total Part I Crime:</b>	<b>425</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	10
OTHER PART II CRIMES	211
CHILD AND FAMILY	6
DEADLY WEAPONS	4
EMBEZZLEMENT	1
FRAUD	1
GAMBLING	0
MALICIOUS MISCHIEF	2
NARCOTICS	66
SEX CRIMES	1
FORGERY	0
OTHER NON-CRIMINAL	36
<b>Total Part II Arrest:</b>	<b>338</b>

Beat Total = Part I Crime + Part II Arrest: 763  
BeatAve. ( Agency / Beat ): 231.3  
Agency Wide Total = Part I Crime + Part II Arrest: 3,238  
Beat Total as % of Beat Average: : 329.9%  
(120% is considered high crime area)



**ABC Report  
2015 ABC Report by Beats**

**Required Parameters**

Reporting Period: 01/2015 to 09/2015

Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:

Group by: Beat 024

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	2
ROBBERY	10
AGGRAVATED ASSAULT	36
BURGLARY	18
LARCENY	61
MOTOR VEHICLE THEFT	49
<b>Total Part I Crime:</b>	<b>176</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	6
OTHER PART II CRIMES	268
CHILD AND FAMILY	7
DEADLY WEAPONS	5
EMBEZZLEMENT	4
FRAUD	4
GAMBLING	0
MALICIOUS MISCHIEF	4
NARCOTICS	44
SEX CRIMES	1
FORGERY	2
OTHER NON-CRIMINAL	24
<b>Total Part II Arrest:</b>	<b>369</b>

Beat Total = Part I Crime + Part II Arrest: 545

BeatAve. ( Agency / Beat ): 231.3

Agency Wide Total = Part I Crime + Part II Arrest: 3,238

Beat Total as % of Beat Average: : 235.6%

(120% is considered high crime area)



# ABC Report 2015 ABC Report by Beats

**Required Parameters**

Reporting Period: 01/2015 to 09/2015

Agency: NATIONAL CITY

**Optional Parameters**

Geographical Area:

Group by: Beat 441

Prior Report Number: B98S328R

<b>CRIME TYPES</b>	<b>CRIME TOTALS</b>
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	0
ROBBERY	0
AGGRAVATED ASSAULT	0
BURGLARY	0
LARCENY	0
MOTOR VEHICLE THEFT	0
<b>Total Part I Crime:</b>	<b>0</b>

<b>ARREST TYPES</b>	<b>ARREST TOTALS</b>
SIMPLE ASSAULT	0
OTHER PART II CRIMES	0
CHILD AND FAMILY	0
DEADLY WEAPONS	0
EMBEZZLEMENT	0
FRAUD	0
GAMBLING	0
MALICIOUS MISCHIEF	0
NARCOTICS	0
SEX CRIMES	0
FORGERY	0
OTHER NON-CRIMINAL	0
<b>Total Part II Arrest:</b>	<b>0</b>

Beat Total = Part I Crime + Part II Arrest: 0

BeatAve. ( Agency / Beat ): 231.3

Agency Wide Total = Part 1 Crime + Part II Arrest: 3,238

Beat Total as % of Beat Average: : 0.0%

(120% is considered high crime area)

## **Environmental Scan For Alcohol License C.U.P.**

### **Gamma Produce**

1605 East 4<sup>th</sup> Street, National City, CA 91950

November 25, 2015



Photo of Gamma Produce in National City



Google Earth View of 1605 E 4<sup>th</sup> Street .  
and Surrounding Area

This environmental scan is for an amendment on the existing Conditional Use Permit for the Gamma Produce market, located at 1605 East 4<sup>th</sup> Street in National City. The applicant is applying for a Conditional Use Permit for sales of Beer and Wine. The business is located at the intersection of Palm Avenue and East 4<sup>th</sup> Street in National City. Currently there are six (6) active licenses issued for the Census Tract is 0118.02. This number exceeds the census track allocation of 1. An environmental scan was conducted on Wednesday, November 25, 2015.

The business is the Gamma Produce, a market with sales of groceries, fruit, vegetables and meat. During a scan of the business and property the following was noted:

The business is a small business located alone on the property. There are single-family residences, multi-unit housing and one church in the immediate area.

Funded by the San Diego County Health and Human Services Agency  
2615 Camino del Rio So. #300 • San Diego, California, 92108 • Phone: 619.476-9100 • Fax: 619.476-9104

## Youth Sensitive Areas

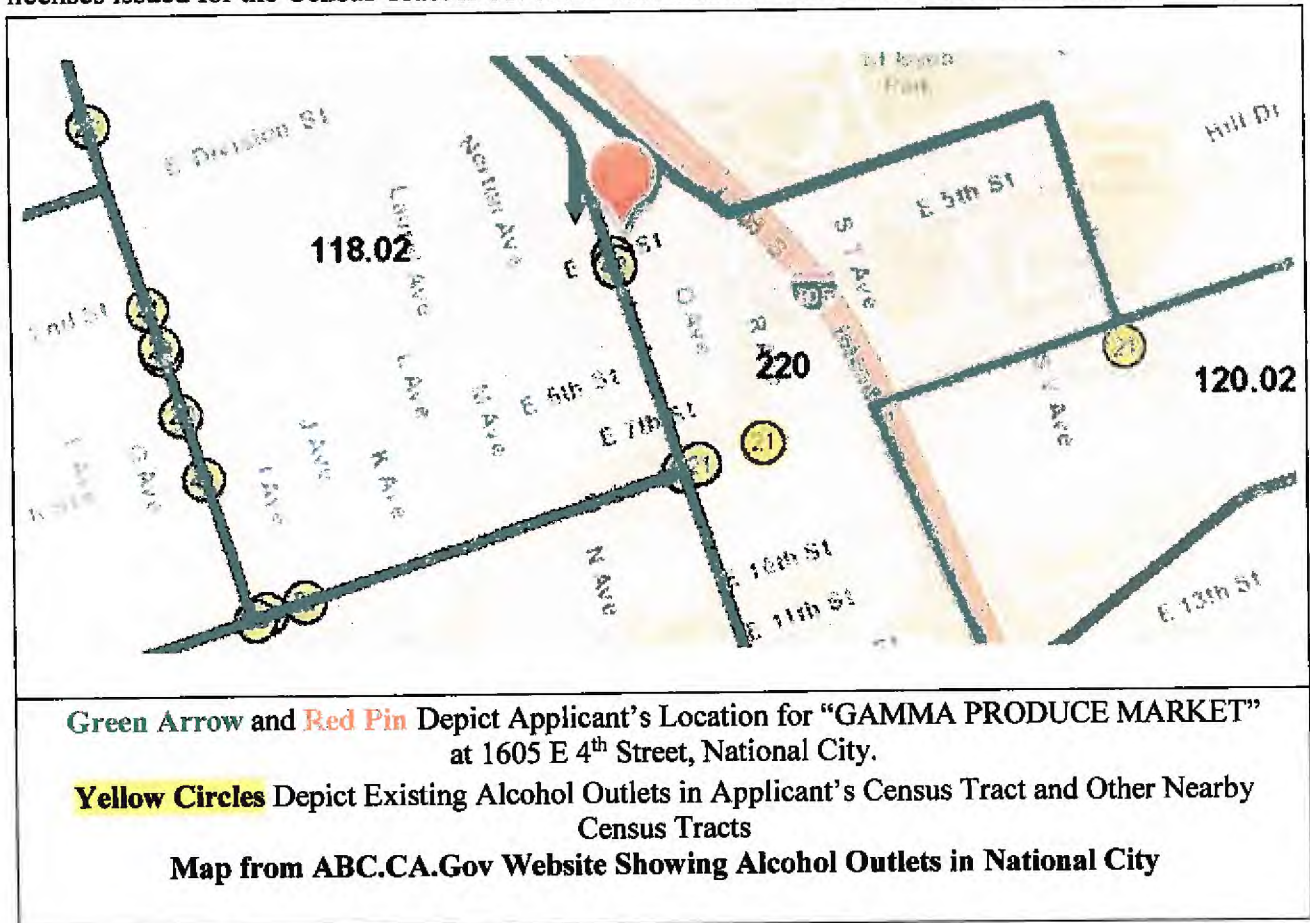
The business is not located near any youth sensitive areas.

## Churches

The business is located across from a Christian Church at the West side of Palm Avenue and East 4<sup>th</sup> Street in National City.

## Outlet Density

According to the ABC, seven (7) on-site licenses are authorized for Census Tract 0118.02, the census track within the area of which the Gamma Produce is located. Currently there are five (5) off-sale licenses issued for the Census Tract is 0118.02. This number exceeds the census track allocation by 1.



The South Bay Community Change Project is a project of the Institute for Public Strategies and is funded by the San Diego County Health and Human Services Administration

### **Census Tracts**

	<b>Off-Sale</b>	<b>On-Sale</b>
<b>Tract 220</b> <i>Establishment is within this tract</i>	Allowed: 2 Actual: 4 Number Above/Below Allowable: +2	Allowed: 5 Actual: 3 Above/Below: -2
<b>Neighboring Census Tracts</b>		
<b>Census Tract 0118.01</b>	Allowed: 2 Actual: 2 Number Above/Below Allowable: -	Allowed: 4 Actual: 4 Above/Below: -
<b>Tract 118.02</b>	Allowed: 4 Actual: 5 Number Above/Below Allowable: +1	Allowed: 7 Actual: 7 Above/Below: -

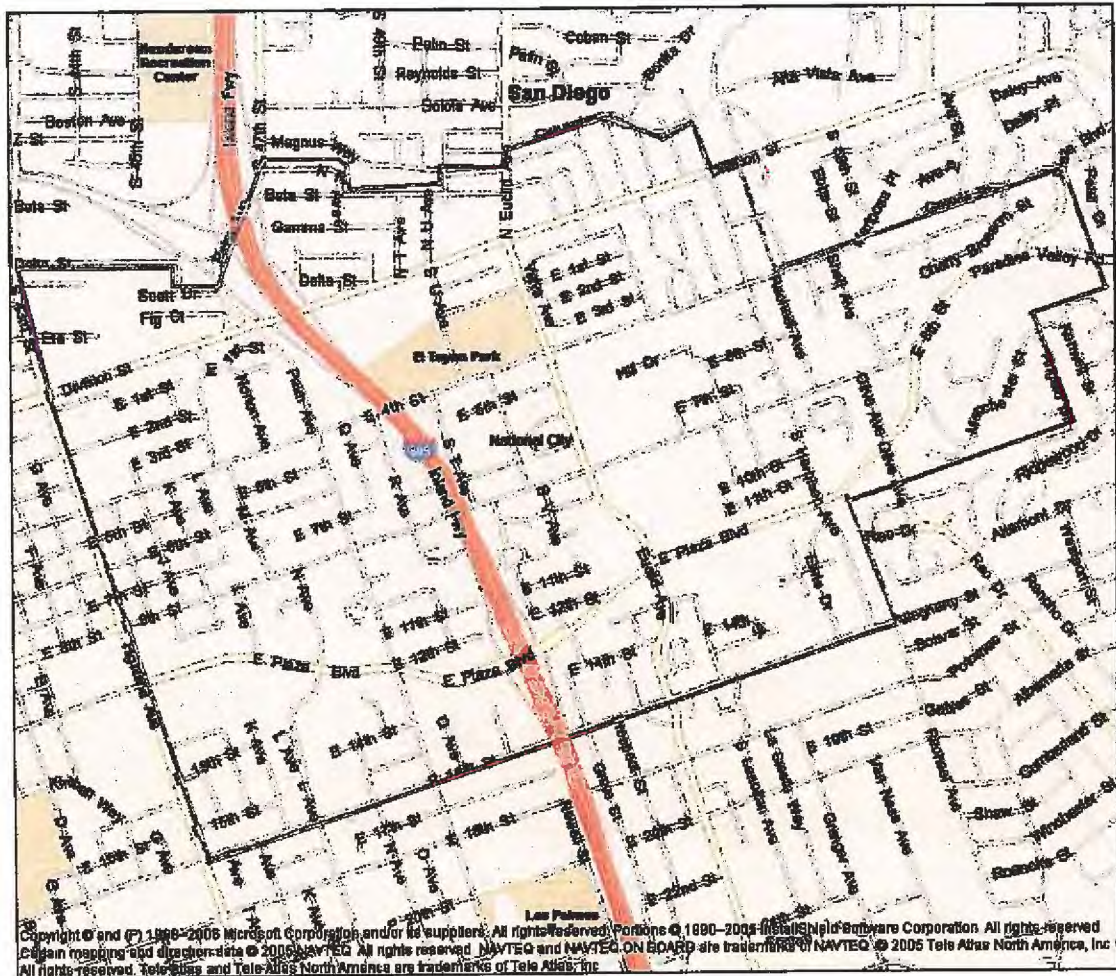
### **Crime Rate**

Refer to National City Police Departments report for crime statistics.

### **Considerations**

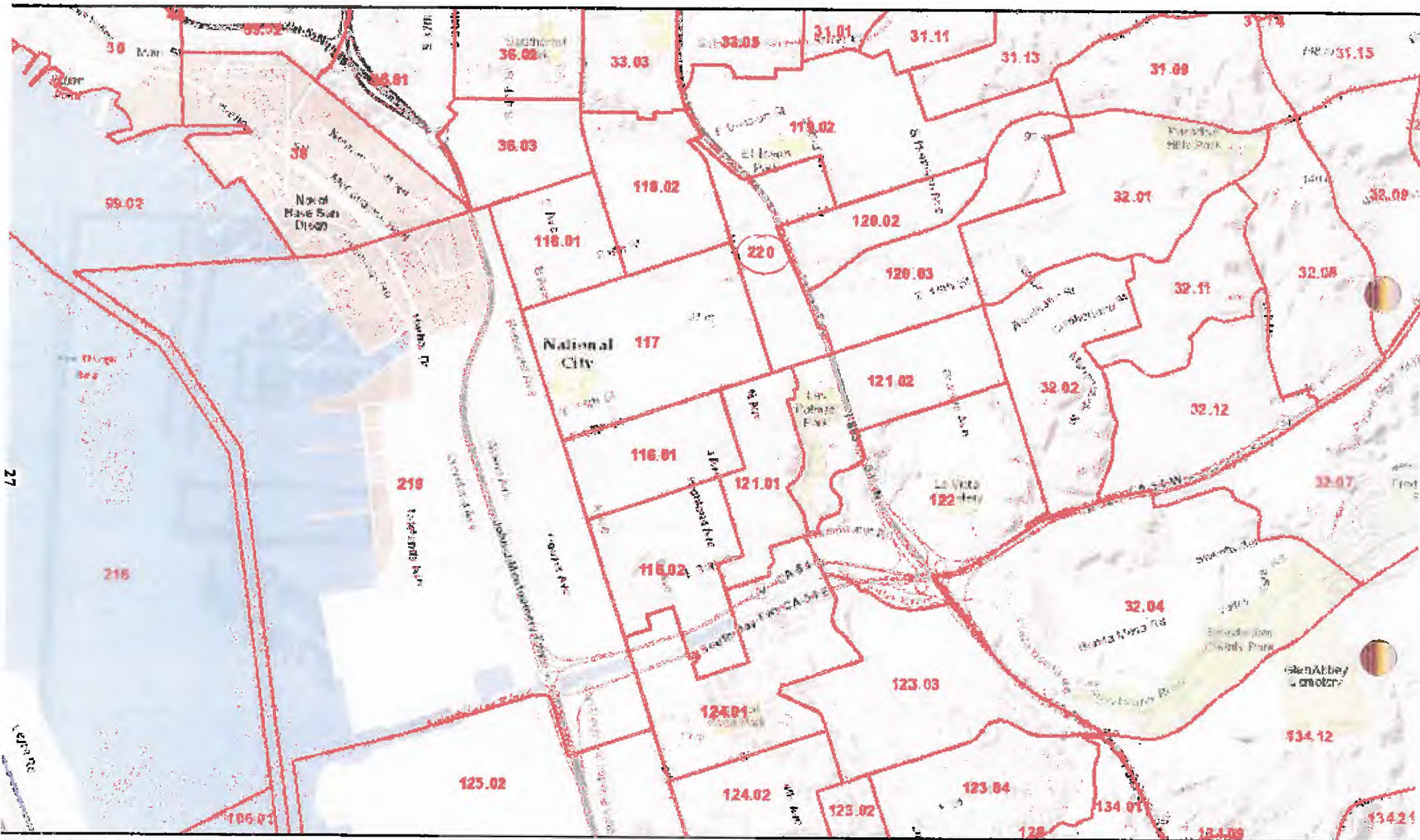
South Bay Community Change staff spoke to the owner, Mrs. Susan Maza on November 25, 2015. She let us know that the hours of the alcohol sales would coincide with the store hours Monday-Friday 7:30 a.m. to 8:00 p.m. and weekends 7:30 a.m. to 7:00 p.m. She has had her business there for the past 16 years wants only to provide the beer and wine for her direct customers.

We would recommend that the current conditions continue and insure that the staff, management, and owner attend the Responsible Beverage Sales and Service training.



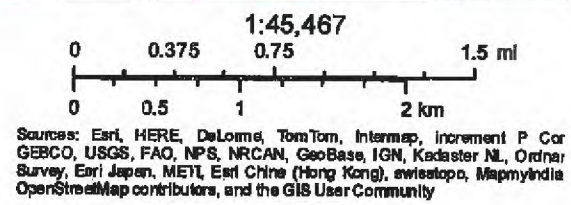
## City of National City Beat 21

Source: Microsoft Mappoint  
NCPD CAU, 4/18/07



August 25, 2014

CensusTracts 2010



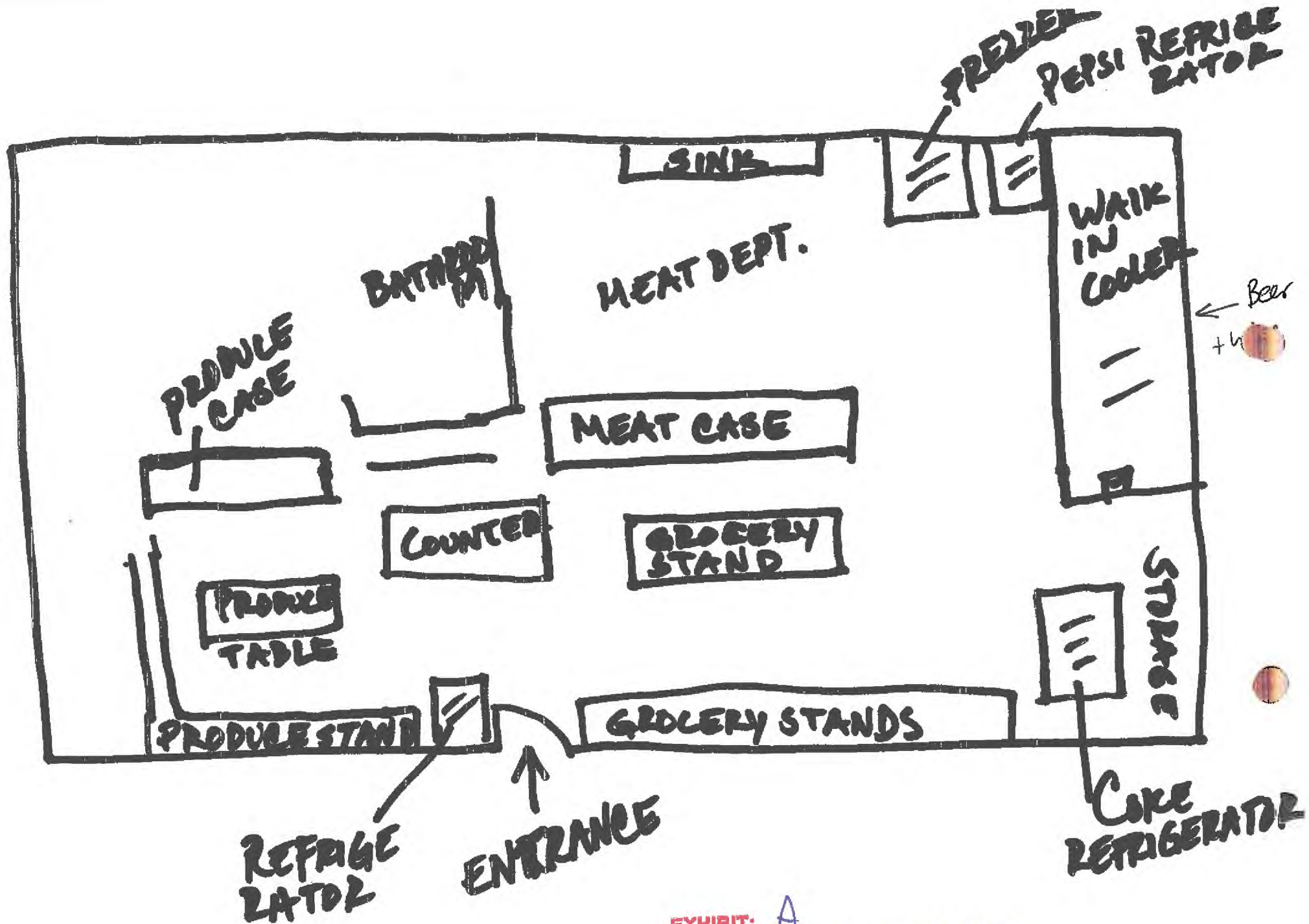


EXHIBIT: A  
CASE FILE NO.: 2015-28 cup  
DATE: 11/18/2015

**2015-28 CUP – Gama Produce (beer and wine) – Site Photos**



Interior of market from entrance



Cooler where alcohol will be displayed



**CITY OF NATIONAL CITY  
Office of the City Clerk**

1243 National City Blvd., National City, California 91950  
619-336-4228 phone / 619-336-4229 fax

Michael R. Dalla, CMC - City Clerk

## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of 5:00 p.m., **Tuesday, August 2, 2016**, in the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider:

### **CONDITIONAL USE PERMIT FOR BEER AND WINE SALES AT GAMA PRODUCE LOCATED AT 1605 EAST 4<sup>TH</sup> STREET.**

The Planning Commission conducted a public hearing at their meeting of May 2, 2016 and voted to recommend approval of the Conditional Use Permit by a vote of 3 to 2 with 2 members absent.

Anyone interested in this matter may appear at the above time and place and be heard.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the undersigned, or to the City Council of the City of National City at, or prior to, the Public Hearing.

July 20, 2016

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Michael R. Dalla, CMC  
City Clerk

RESOLUTION NO. 2016-11

A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF NATIONAL CITY, CALIFORNIA, DENYING A  
CONDITIONAL USE PERMIT FOR ALCOHOL SALES  
AT GAMA PRODUCE LOCATED AT 1605 EAST 4<sup>TH</sup> STREET.  
CASE FILE NO. 2015-28 CUP  
APN: 554-050-19

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for alcohol sales at Gama Produce located at 1605 East 4<sup>th</sup> Street at a duly advertised public hearing held on May 2, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-28 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on May 2, 2016, support the following findings:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – four off-sale outlets are permitted where two are recommended by the California Department of Alcoholic Beverage Control. – and the area has a high crime rate.
2. That the proposed use is not deemed essential and desirable to the public convenience and necessity, because four other off-sale alcohol outlets are located in the same census tract as the subject property.
3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

**CERTIFICATION:**

This certifies that the Resolution was adopted by the Planning Commission at their meeting of May 16, 2016, by the following vote:

**AYES:** Baca, Garcia, Sendt

**NAYS:** Dela Paz, Flores

**ABSENT:**

**ABSTAIN:** Bush, Yamane

  
\_\_\_\_\_  
CHAIRPERSON

The following page(s) contain the backup material for Agenda Item: Public Hearing – Conditional Use Permit for a craft beer tasting room (Novo Brazil) at 27 & 41 East 8th Street. (Applicant: Joshua Renner) (Case File 2016-12 CUP) (Planning)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Public Hearing – Conditional Use Permit for a craft beer tasting room (Novo Brazil) at 27 & 41 East 8<sup>th</sup> Street. (Applicant: Joshua Renner) (Case File 2016-12 CUP)

**PREPARED BY:** Martin Reeder, AICP



**DEPARTMENT:** Planning

**PHONE:** 336-4313

**APPROVED BY:**



**EXPLANATION:**

The project applicant has applied for a Conditional Use Permit (CUP) to sell beer for on-site consumption at a tasting room within a new indoor public market to be located at 27 and 41 East 8<sup>th</sup> Street. Recommended hours of operation of the tasting room are 12 p.m. to 10 p.m. daily. The tasting room would operate under an existing Type 23 (Small Beer Manufacturer) license with the California Department of Alcoholic Beverage Control (ABC). As part of the application, the applicant is asking for waiver of two conditions of approval.

The Planning Commission voted to approve the Conditional Use Permit with a recommendation to the City Council on the condition waiver request. Because the conditions are related to City Council Policy 707 (Alcohol licensing), only the City Council may waive or modify said conditions, thus the public hearing rather than the usual Notice of Decision.

The attached background staff report describes the proposal in detail.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Categorically Exempt pursuant to Class 1 Section 15301 (Existing Facilities)

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Staff recommends approval of the Conditional Use Permit

**BOARD / COMMISSION RECOMMENDATION:**

The Planning Commission denied the Conditional Use Permit.

Ayes: Baca, Bush, Flores, Garcia, Sendt, Yamane

Noes: DeLaPaz

**ATTACHMENTS:**

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 1. Overhead & Site Photos            | 6. City Council Policy 707          |
| 2. Background Report                 | 7. Community Meeting Information    |
| 3. Recommended Findings & Conditions | 8. Public Hearing Notice            |
| 4. Reduced Plans                     | 9. Public Correspondence            |
| 5. Department and Agency comments    | 10. Census Tract & Police Beat Maps |

2016-12 CUP – Novo Brazil (tasting room) – Overhead



**2016-12 CUP – Novo Brazil (tasting room) – Site Photos**



Looking northwest from East 8<sup>th</sup> Street and "A" Avenue



Same view from above

## **BACKGROUND REPORT**

### **Overview**

The project applicant has applied for a Conditional Use Permit (CUP) to sell beer for on-site consumption at a tasting room (Novo Brazil) within a new indoor public market to be located at 27 and 41 East 8<sup>th</sup> Street. Recommended hours of operation of the tasting room are 12 p.m. to 10 p.m. daily. The tasting room would operate under an existing Type 23 (Small Beer Manufacturer) license with the California Department of Alcoholic Beverage Control (ABC). As part of the application, the applicant is asking for waiver of two conditions of approval.

### **Site Characteristics**

The project site is a former furniture store and warehouse that is currently being converted to a public market. The property is developed with two buildings that mostly appear as one. The main building, which is located at the northwest corner of East 8<sup>th</sup> Street and "A" Avenue, is approximately 8,700 square feet in size. There is also a 3,000 square-foot building immediately adjacent to the west of the main building. This building is proposed to be demolished. Although there are two parcel numbers and addresses on the title sheet of this report, the applicant has since merged the two parcels into one. Staff is waiting for the new Assessor's Parcel Number from the San Diego County Assessor.

The market will have approximately 14 retail suites, 2 food vendors, a public food court, sidewalk café (on "A" Avenue), craft beer tasting room, and an exterior enclosed patio seating area (on the west side of building adjacent to the alley). The long narrow building located adjacent to the west (27 East 8<sup>th</sup> Street) is being demolished in order to construct the outdoor seating area, food truck/delivery area, and trash enclosure. The sale of beer is the subject of this CUP application.

### **Proposed Use**

The applicant wishes to operate a craft beer tasting room as part of the public market. The tasting room serving area would be in one corner of the market building, including a small bar seating area. It is intended that alcoholic beverages would be consumed anywhere within the building and outside seating area (which will be open to everyone). No alcohol is proposed, nor would be permitted, in the sidewalk café area along "A" Avenue. Signs would be posted at all entrances/exits to the building (except to the exterior enclosed seating area) prohibiting alcohol from being taken beyond that point. Staff of the tasting room and public market would be accountable for the monitoring and enforcement of responsible alcohol consumption. This model is somewhat similar to

Liberty Public Market at Liberty Station (Point Loma) and Grand Central Market in Los Angeles. These markets close at 7 p.m. and 10 p.m. respectively.

The tasting room and bar area is approximately 880 square feet in size, including a nine-seat bar area, and located in the southwest corner of the market building. The outside seating area would be approximately 2,100 square feet in size and would also function as an outside seating area for market clientele. This area would be enclosed by an eight-foot tall combination wall and fence, which would be augmented with vegetation to offset potential noise impacts. The applicant originally requested tasting room hours of operation of 12 p.m. to 10 p.m. Sunday through Thursday, and from 12 p.m. to 12 a.m. Friday through Saturday.

The tasting room would operate under an existing Type 23 (Small Beer Manufacturer) license with the California Department of Alcoholic Beverage Control (ABC). The existing licensed business under which the applicant proposes to operate is Novo Brazil, a micro-brewery located in the Eastlake neighborhood of Chula Vista. A Type 23 license allows for tasting rooms at a different location than the master license and may serve their own beer only. ABC does not consider a Type 23 license as a retail license; therefore, high crime rate or over concentration of licenses in the census tract would not apply. As a non-retail license, the purveyor would also be allowed to sell to-go beer (sold in sealed containers often referred to as growlers). Again, only the purveyor's beer would be permitted to be sold in this fashion.

Generally-speaking, craft beer businesses brew beer in a traditional or non-mechanized way, typically producing specialty beers available only locally. Craft breweries are oftentimes a local business (as in this case) and produce less than 15,000 barrels of beer per year (as opposed to millions with major international breweries).

### **Analysis**

Section 18.30.050 of the National City Land Use Code allows for on and off-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUP's include expanded notification, a community meeting, and distance requirements.

**Mailing** – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications, as was done in this case. 571 notices were mailed for this public hearing.

**Community Meeting** – Pursuant to Section 18.30.050 (C), a community meeting was held Wednesday, June 29, 2016 at 5:00 p.m. at the project site. Fifteen community members were in attendance, as well as one City staff member. A copy of the

advertisement, sign-in sheet, and minutes are attached. The community meeting presentation included a discussion about the proposed public market (not a part of this application), and the role that the beer tasting and sales operations would play. Several community members were supportive of the project, with two members expressing concerns over noise and parking. Noise would be covered by Title 12 (Noise) of the Municipal Code and has been included as a Condition of Approval. Parking, although discussed as a broader downtown issue at the community meeting, is discussed below.

Prior to the meeting, three letters were received from a neighboring business owner in response to the community meeting advertisement. The letters had concerns with parking in the area and to distance from schools. The letters also refer to live entertainment events at the site, which are not part of this request. The parking concerns were related to people potentially using the parking lot belonging to the respondent without permission, which would be a private property matter. The applicant stated that their customers would be educated on where and where not to park. The letter also makes assumptions about the legality of the business location, due to its proximity to a school. Distance requirements are discussed below.

Two additional letters were received prior to the Planning Commission hearing with concerns over the potential for the alley to be closed (not proposed or part of the application), and the businesses potential impact on children (concerns were exposure to drunk persons and prostitution, which are not expected with this type of business). Another area resident expressed concerns related to alley access and noise.

*Distance Requirements* – Chapter 18.030.050 (D) requires that businesses that sell alcohol as a principal use maintain a 660-foot distance from schools (on Institutional-zoned properties). However, sales of alcohol in this case would be accessory to the public market, and would thus not be subject to this requirement; therefore, no distance requirements are required. In addition, ABC has stated that a Type 23 is not a retail license; therefore, not subject to ABC distance requirements. However, the Municipal Code would still apply, as there is no distinction between retail and non-retail alcohol sales in Chapter 18.030.050. The nearest Institutional-zoned school property is Central Elementary School, which is located approximately a quarter-mile away to the east.

### *Parking*

The Downtown Specific Plan has a flat non-residential parking ratio of 2.5 spaces per 1,000 square feet of floor area. In this case the building has no on-site parking. As no additional floor area is being added, no new parking would generally be required. Additionally, with the demolition of the 3,000 square-foot building, there would be less of an impact. Although there is no on-site parking, there are three parking spaces along

the East 8<sup>th</sup> Street frontage and seven along the "A" Avenue frontage. Furthermore, there are multiple on-street parking spaces throughout the area.

#### Food Truck

As part of the public market, the applicant is providing an area adjacent to the outside seating area for food trucks to operate. The space for the food truck is immediately north of the outdoor seating area and would only be accessible from within the area. No walk-up service (from customers outside of the business) would be available. Per Chapter 9.06.030 (C) of the Municipal Code, a food vending vehicle may park on private property, but may only sell, display or offer food or beverage product to the owner of such property or their agents, customers or employees. The proposed use is consistent with this code section. In addition, a Condition of Approval (No. 12) has been added to require compliance with NCMC §9.06 (Food Vending Vehicles).

#### Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within Development Zone 4 of the Downtown Specific Plan as a retail use, pursuant to a Conditional Use Permit, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A public market with accessory beer sales is also a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows retail uses.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves the interior construction of a public market space, which is consistent with other commercial businesses in the area. Development of the area was analyzed for traffic impacts as part of the Downtown

Specific Plan, which envisioned significant density in this area. The sale of alcohol would be accessory to the sale of other products in the market, which would not create traffic issues above and beyond what was expected as part of the development of downtown. Access to and from the site is provided by East 8<sup>th</sup> Street, an arterial street operating at a Level of Service (LOS) of C. East 8<sup>th</sup> Street in this location is operating at half of its capacity. In addition, the sale of alcohol is not expected to result in an increase in Average Daily Trips (ADT) such that the LOS would be affected, particularly as the area devoted to alcohol sales is only a small part of the overall public market.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use would be accessory to the public market, which will be located in an existing commercial area. The building is existing and has ten on-street parking spaces adjacent to the property, as well as access to several nearby parking areas.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience; or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The sale and consumption of beer would be a small part of the overall public market use, with the beer serving area only 8% of the total floor area of the whole property. Alcohol consumption would be monitored by staff of the tasting room and public market. Any violations related to alcohol sales at the tasting room location would reflect on the main licensed brewery located in Chula Vista. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act.

Staff has determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as non-conditionally allowed uses (commercial and retail enterprises).

7. That the proposed use is deemed essential and desirable to the public convenience or necessity.

In this case the alcohol sales will contribute to the viability of a public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The tasting room, as part of the market, would be a draw for area and non-area residents alike. The market would also help to further activate the downtown core, consistent with the spirit and intent of the Downtown Specific Plan.

### **Department and Agency Comments**

**Alcohol Sales Concentration/Location** – Per ABC, there are currently three on-sale permits issued in the subject census tract (118.01). These permits are:

<b>Name</b>	<b>Address</b>	<b>License Type*</b>	<b>CUP</b>
Oriental Café	39 East 7 <sup>th</sup> Street	41	-
McDini's	105 East 8 <sup>th</sup> Street	47	-
Napoleone's Pizza House	619 National City Blvd.	41	Y

\* Type 41 – On-Sale Beer and Wine  
Type 47 - On-Sale General

Of the three licenses, two are restaurants and one a bar that also offers food. The subject use is consistent with other on-sale businesses, all of which are consistent with the Downtown Specific Plan.

Census tract 118.01 includes the area between Division Street and East 8<sup>th</sup> Street, and between National City Blvd. and Highland Avenue. The attached census tract map shows the location of the subject tract. ABC recommends a total of four off-sale alcohol permits be issued in this census tract, where three exist.

### **Police Department**

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 20) had a current (January to June 2016) crime rate of 395.1%, above the 120% considered to be a high crime area. Crimes are categorized as either Part I or Part II crimes. Part I crimes are serious crimes such as homicide, robbery, assault, burglary, vehicle theft, etc. Part II crimes are less serious in nature and less commonly reported. Part II crimes include simple assault, embezzlement, narcotics, and weapons charges (among others). There is generally no specific crime reporting for alcohol-related occurrences. Alcohol is typically just referenced as a contributing factor to a particular crime (robbery, assault, etc.).

Consistent with recent policy, PD provided a Risk Assessment report on the property. The assessment assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, Novo Brazil received 9 points, which would indicate a low risk. The Risk Assessment is attached.

#### *Institute for Public Strategies (IPS)*

The Institute for Public Strategies provided comments on the proposed CUP application. They recommend that if the CUP is approved that training be provided for all owners, management, and staff (covered under Condition No. 7), evening security in the outside seating area, and business hours no later than 10 p.m. (covered under Condition No. 6). Comments are attached for your review.

#### *Hours of Operation*

The most recent CUP's for on-site alcohol consumption have had varying hours of operation (see following table). The Grill House at Big Ben, which received a CUP for on-site alcohol consumption and live entertainment in 2015, is located at the opposite corner of the same intersection and would be a good example of operating hours for similar businesses in the area. Alcohol consumption is limited until 10 p.m. daily. Having an earlier cut-off time than midnight (as the applicant originally proposed on the weekends), would alleviate potential noise issues on Friday and Saturday nights.

<b><i>Business name</i></b>	<b><i>Business address</i></b>	<b><i>CUP type</i></b>	<b><i>End time</i></b>
Grill House at Big Ben	108 E 8 <sup>th</sup> St	Beer & Wine	10 p.m.
Denny's	1904 Sweetwater Rd	Beer & Wine	11 p.m.
Royal Mandarin	1132 E Plaza Blvd	Beer & Wine	10 p.m.
Chipotle	404 Mile of Cars Way	Beer	11 p.m.
Hooters	Westfield Plaza Bonita	Beer/Wine/Spirits	12 a.m.
Yi Sushi	1430 E Plaza Blvd	Beer & Wine	11 p.m.

#### *Conditions of Approval*

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per Council policy 707 (hours of operation, employee training, accessory sales, etc.). A condition has also been added prohibiting consumption of alcohol outside of the building (in the sidewalk café).

All conditions contained in Council policy 707 are required for new alcohol CUP's. Only the City Council may waive a policy condition, although staff asks the Planning Commission to make a recommendation one way or the other in the case of a waiver request.

The applicant originally requested the waiver of the following two conditions:

8. The sale of alcohol shall not exceed gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
9. Alcohol shall be available only in conjunction with the purchase of food.

City Council Policy 707 is generally geared towards retail license (e.g. restaurants, market), which necessitate such conditions in order to ensure that alcohol sales are accessory to the primary use. This prevents a restaurant from becoming a bar, or a market a liquor store, etc. Because a tasting room is not a traditional retail license, standard conditions tend to “not fit” and prove overly burdensome. However, the use is still intended to be accessory to the public market and thus should be conditioned accordingly.

The reason for the request is because although alcohol sales would be accessory to the public market, it would be a separately-licensed business. Therefore, there would be no sales of “other items”, as stated in the condition, other than potentially snacks or business merchandise – not enough to exceed the alcohol sales. Additionally, no food (other than snacks potentially) would be served at the business, although there will most certainly be food vendors in the market (two are proposed as well as a food truck).

The Planning Commission did not recommend waiver of Condition No. 8 and recommended the modification of Condition No. 9 to refer to the availability of food on the premises, not specifically as part of the proposed business. Condition of Approval No. 9 is now recommended to read as follows:

9. Alcohol shall be available only in conjunction with the availability of food on the premises.

This will allow the business to function as an accessory use within the market, but not be forced to sell food at the same time. However, food vendors would still be required to be part of the market tenant roll, ensuring that the market does not turn into a bar.

**Staff Recommendation**

Staff is recommending approval of this CUP request with an end time of 10 p.m. daily. Staff is also supportive of the condition modification request for Condition No. 9., in that

this CUP would only allow a Type 23 licensee at this location. If a retail license (restaurant, bar, etc.) request was received, a modification of this CUP would be required. Staff is of the opinion that craft beer sales would contribute to the success of the public market, which would in turn contribute to the viability of the downtown area. The building has been vacant for some time and, after being upgraded, would further improve the area.

### **Planning Commission Action**

Planning Commission conducted a public hearing on July 18, 2016. Thirteen community members spoke to the item. Seven speakers were in support of the proposal and five against. One speaker had some general comments, but was neutral on the matter. Concerns were raised regarding parking, noise, building occupancy, and general alcohol-related impacts that have historically been associated with other area alcohol businesses. Parking issues were discussed by staff in the framework of a Parking Management Plan proposed as part of a pending Downtown Specific Plan update. Noise has been addressed through both a Condition of Approval (No. 11), and through limiting hours of operation (No. 6). Building Occupancy will be addressed through the building permit process (subject to CA Building and Fire Codes). The applicant responded to concerns of alcohol-related impacts by explaining the nature of craft beer tasting rooms versus tradition bars or clubs, which cater to a different clientele.

The Planning Commission voted to approve the Conditional Use Permit with a recommendation to the City Council on the condition waiver request. Because the conditions are related to City Council Policy 707 (Alcohol licensing), only the City Council may waive or modify said conditions, thus tonight's public hearing rather than the usual Notice of Decision.

### **Summary**

The proposed use is consistent with the General Plan, because alcohol sales for on and off-site consumption are a conditionally-allowed use in Development Zone 4 of the Downtown Specific Plan. The proposed use would be accessory to a proposed public market use in an existing commercial area, which is consistent with other commercial businesses in the area. The sale of alcohol would be accessory to the sale of other products in the market, although the business itself will not be selling any food in conjunction with the beer.

The business will be subject to standard conditions of approval along with those in Council policy 707 related to alcohol sales. Although the applicant requested the waiver of two conditions (No's 8 & 9), staff and the Planning Commission support the

retentions of Condition No. 8, and modification of Condition No. 9 if the Council agrees. The proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available, and would be a draw for area and non-area residents alike. It would also help to further activate the downtown core, consistent with the spirit and intent of the Downtown Specific Plan.

### **OPTIONS**

The options available to the City Council are as follows:

1. Approve the item subject to the attached recommended findings and conditions of approval with the waiver or modification of certain conditions (specific changes or omissions should be stated in the motion); or
2. Approve the item subject to the attached recommended findings and conditions of approval; or
3. Deny the item subject to findings to be made by the City Council; or
4. Continue the item in order to request additional information.

In the case of approval or denial, staff will return with a resolution at a subsequent date.

## **RECOMMENDED FINDINGS FOR APPROVAL**

2016-12 CUP – 27 & 41 East 8<sup>th</sup> Street

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within Development Zone 4 of the Downtown Specific Plan as a retail use, pursuant to a Conditional Use Permit, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A public market with accessory beer sales is a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows retail uses.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves the interior construction of a public market space, which is consistent with other commercial businesses in the area. Development of the area was analyzed for traffic impacts as part of the Downtown Specific Plan, which envisioned significant density in this area. The sale of alcohol would be accessory to the sale of other products in the market, which would not create traffic issues above and beyond what was expected as part of the development of downtown. Access to and from the site is provided by East 8<sup>th</sup> Street, an arterial street operating at a Level of Service (LOS) of C. East 8<sup>th</sup> Street in this location is operating at half of its capacity. In addition, the sale of alcohol is not expected to result in an increase in Average Daily Trips (ADT) such that the LOS would be affected, particularly as the area devoted to alcohol sales is only a small part of the overall public market.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed use would be accessory to the public market, which will be located in an existing commercial area. The building is existing and has ten on-street parking spaces adjacent to the property, as well as access to several nearby parking areas.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which

the property is located, because the sale and consumption of beer would be a small part of the overall public market use, alcohol consumption would be monitored by staff of the tasting room and public market, and the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act and has been determined to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as non-conditionally allowed uses (commercial and retail enterprises).
7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of a public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The tasting room as part of the market would be a draw for area and non-area residents alike. It would also help to further activate the downtown core, consistent with the spirit and intent of the Downtown Specific Plan.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

## **RECOMMENDED CONDITIONS OF APPROVAL**

2016-12 CUP – 27 & 41 East 8<sup>th</sup> Street

### **General**

1. This *Conditional Use Permit* authorizes a beer tasting room at a proposed market to be located at 27 and/or 41 East 8<sup>th</sup> Street, including sales of sealed containers (commonly known as growlers) for off-site consumption (per ABC Type 23 license regulations). Only beer produced by the master licensee under a Type 23 (small beer manufacturer) license may be sold and/or consumed at this location. The serving and consumption of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit A, Case File No. 2016-12 CUP, dated 6/7/2016.
2. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
3. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
4. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.
5. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Executive Director that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

### **Planning**

6. Alcohol sales shall be limited to the hours of 12 p.m. to 10 p.m. daily.
7. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a

city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

8. The sale of alcohol shall not exceed gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
9. Alcohol shall be available only in conjunction with the availability of food on the premises.
10. The consumption of alcoholic beverages is prohibited outside of the building, with the exception of the outdoor enclosed patio seating area. The permittee shall post signs, to be approved by the Planning Department, at the entrances and exits to the building prohibiting consumption of alcohol beyond those points. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
  - a. "No consumption of alcohol is allowed beyond this point."
  - b. "No open alcoholic beverage containers are allowed beyond this point."
11. All activities shall abide by the limitations contained in Table III of Title 12 (Noise) of the National City Municipal Code.
12. All activities involving the sale of food from a food truck or similar apparatus shall be consistent with Chapter 9.06 (Food Vending Vehicles) of the National City Municipal Code.
13. The proposed alcohol sales, service, and consumption shall abide by all applicable rules and regulations as stated by the California Department of Alcoholic Beverage Control (ABC). In the case that any of these conditions violate any laws, rules, or regulations administered by ABC, the laws, rules, or regulations shall govern.

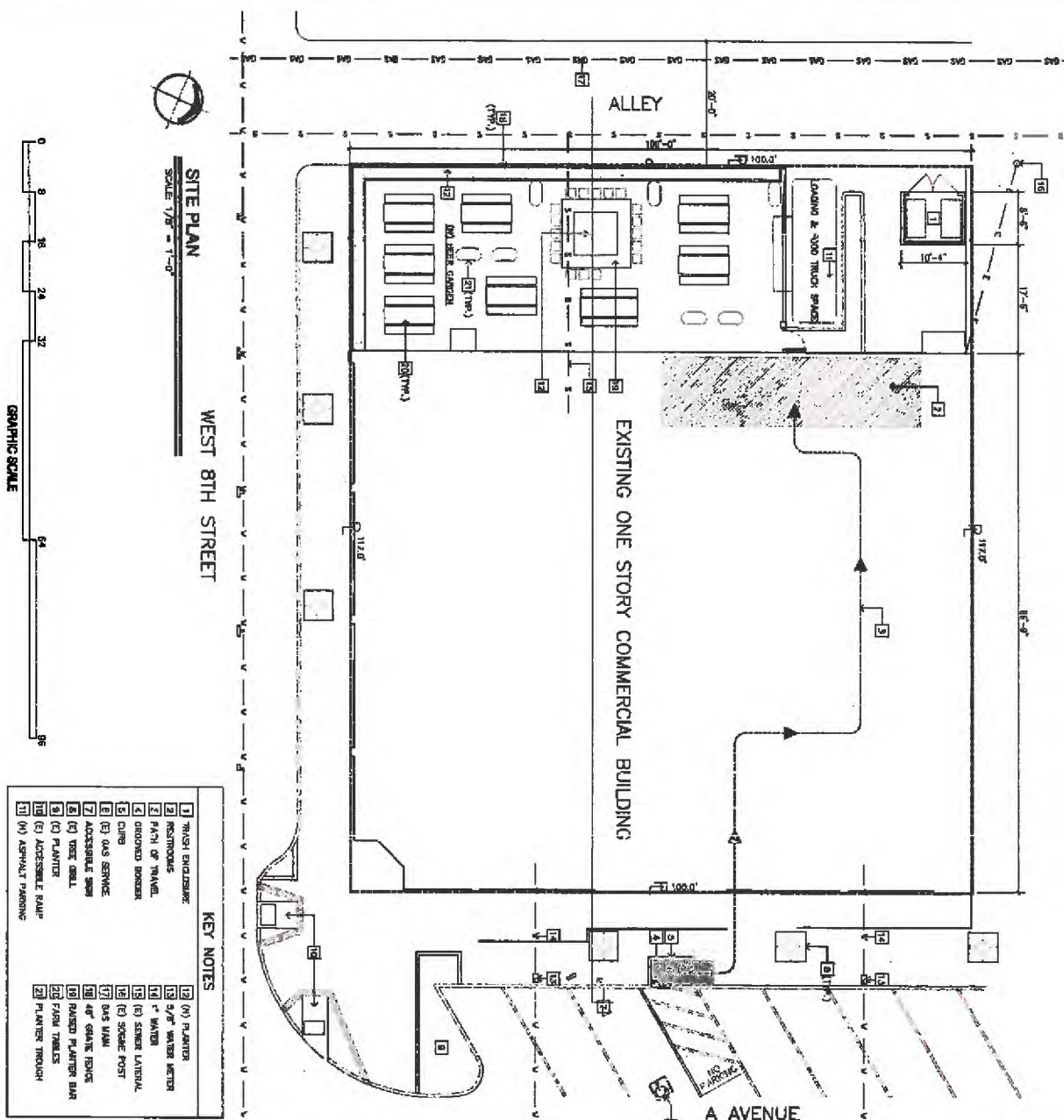
#### Police

14. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

1. Adversely affect leading to death, disability, restriction by an authorized Government agency 1/9 both
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## DISABLED ACCESS SIGNAGE NOTES

- [illegible]



1	1	TRASH ENCLOSURE	12	(N) PLASTER
2	2	RESPIROSCOPE	13	3/4" WATER METER
3	3	PLANT OF TRAVEL	14	(N) WAGON
4	4	ORCHARD BROOM	15	(E) SEWER LATERAL
5	5	CLIFF	16	(E) SOCIAL POST
6	6	(E) GAS SERVICE	17	DAY WALK
7	7	ACROSSING SWIM	18	OF GRAVE FENCE
8	8	(N) ROSE GARDEN	19	PLASTER PLASTER BAR
9	9	PLASTER	20	PLASTER
10	10	(E) ASSISTANT PLUM	21	PLASTER TROUGH
11	11	(N) PLASTER PAROING		

**8TH ST PUBLIC MARKET**  
41 E 8TH STREET, NATIONAL CITY, CA



**PAREDES RENNER  
ARCHITECTURE**  
TEL. (858) 738 5370  
FAX (858) 729 0201  
6606 LA JOLLA BLVD., LA JOLLA, CA 92037  
pardo@paredes.com

## FLOOR PLAN NOTES

- 1 FIXED DRINKING BAR
- 2 TOILET
- 3 LAVATORY
- 4 URINAL
- 5 MOP SINK
- 6 SERVICE SINK
- 7 WATER FOUNTAIN
- 8 SEAT
- 9 TABLE
- 10 COUNTER
- 11 STOOLS
- 12 OVERHEAD DOOR
- 13 RAMP
- 14 STL./GLASS/NO PARTITION
- 15 BEER VAT
- 16 (K) SKYLIGHT
- 17 (C) STEEL COLUMN
- 18 ATTIC ABOVE
- 19 SPACE HEATER @ ATTIC
- 20 ELECTRICAL PANELS
- 21 24" LADDER TO ATTIC W/ 360° HATCH
- 22 42" GUARDRAIL
- 23 AIRING ABOVE
- 24 (H) GRATE ROLLING GATE
- 25 (H) 2" GRATE GATE
- 26 PLANTER THROUGH H.L.C.
- 27 (H) FARM TABLE H.L.C.
- 28 (H) PLANTER
- 29 (H) GRATE FENCE
- 30 (H) PLANTER BAR

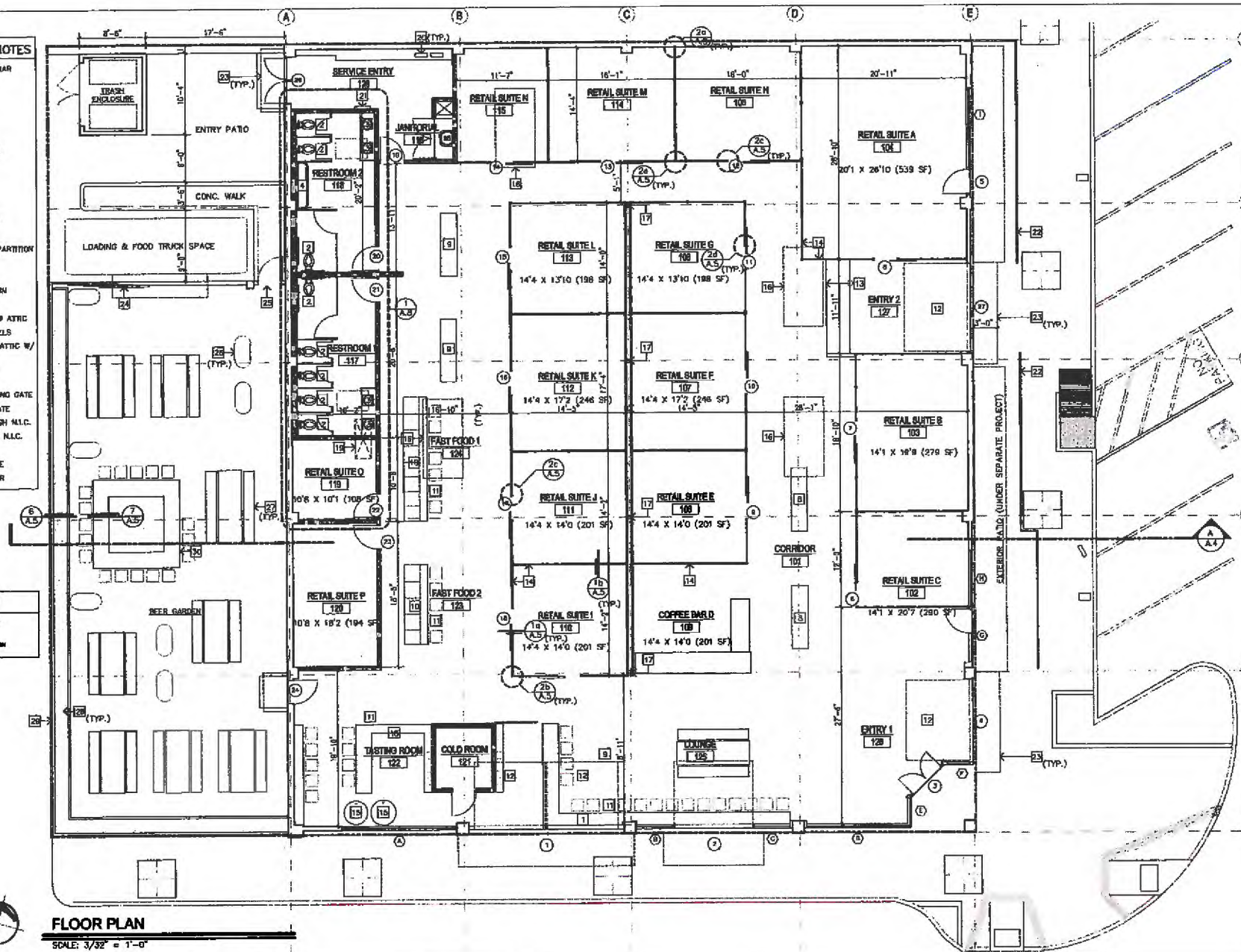
## LEGEND

- EXISTING WALL  
NEW WALL  
GLASS PARTITION



## FLOOR PLAN

SCALE: 3/32" = 1'-0"



**PADEDES RENNER  
ARCHITECTURE**

TEL (858) 728-5370  
FAX (858) 728-0501  
8805 LA JOLLA BLVD., LA JOLLA, CA 92037  
pade@pade.com



**8TH ST PUBLIC MARKET**  
41 E 8TH STREET, NATIONAL CITY, CA

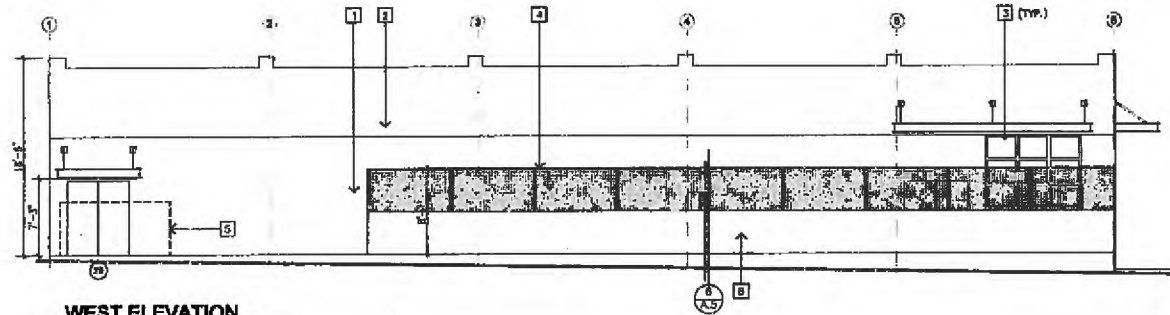
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PROJECT NO. PR1601

DATE 09/25/16

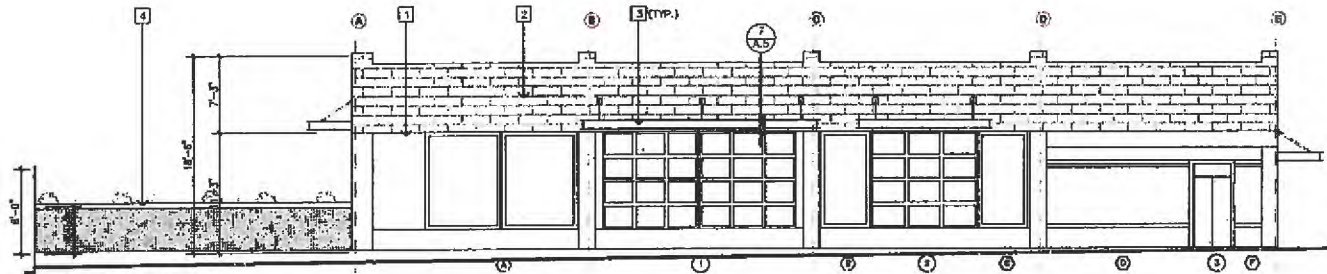
SHEET TITLE FLOOR PLAN

A-4  
SHEET 4 OF 38



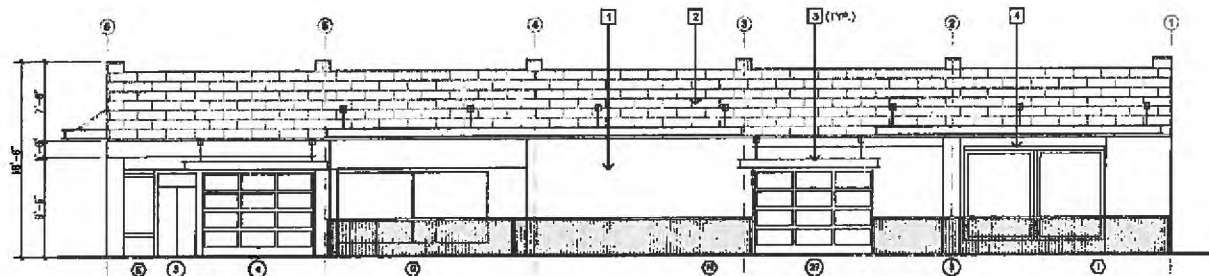
**WEST ELEVATION**

SCALE: 3/32" = 1'-0"



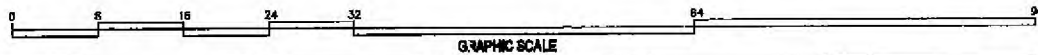
**SOUTH ELEVATION**

SCALE: 3/32" = 1'-0"



**EAST ELEVATION**

SCALE: 3/32" = 1'-0"



GRAPHIC SCALE

**ELEVATIONS KEY NOTES**

- 1 (E) STUCCO
- 2 (E) MASONRY PARAPET
- 3 STEEL WINDOW
- 4 GRATE FENCE
- 5 TRASH ENCLOSURE
- 6 CMU WALL

**PAREDES RENNER  
ARCHITECTURE**  
1000 LA JOLLA BLVD., SUITE 100  
SAN DIEGO, CA 92101  
TEL: (619) 594-1331  
FAX: (619) 594-1331  
WWW.PAREDESARCHITECT.COM



**8TH ST PUBLIC MARKET**  
41 E 8TH STREET, NATIONAL CITY, CA

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**A-6**  
SHEET 5 OF 28



**NATIONAL CITY POLICE DEPARTMENT**  
**ALCOHOL BEVERAGE CONTROL**  
**RISK ASSESSMENT**

DATE: 07/20/2016

BUSINESS NAME: Novo Brazil

ADDRESS: 27 & 41 East 8th Street, National City

OWNER NAME: Germiniano Tubao DOB: 09/08/1967

OWNER ADDRESS: 657 10th Street, Imperial Beach, CA 91932

(add additional owners on page 2)

**I. Type of Business**

- ☐ Restaurant (1 pt)  
☐ Market (2 pts)  
☐ Bar/Night Club (3 pts)

**II. Hours of Operation**

- ☐ Daytime hours (1 pt)  
☒ Close by 10pm (2 pts)  
☐ Close after 10pm (3 pts)

**III. Entertainment**

- ☐ Music (1 pt)  
☐ Live Music (2 pts)  
☐ Dancing/Live Music (3 pts)

**IV. Crime Rate**

- ☐ Low (1 pt)  
☐ Medium (2 pts)  
☒ High (3 pts)

**V. Alcohol Businesses per Census Tract**

- ☒ Below (1 pt)  
☐ Average (2 pts)  
☐ Above (3 pts)

**Notes:**

Crime Rate 395.1%

On-Sale Allowed 5 Actual 3

Off-Sale Allowed 2 Actual 2

**VI. Calls for Service at Location (for previous 6 months)**

- ☒ Below (1 pt)  
☐ Average (2 pts)  
☐ Above (3 pts)

**VII. Proximity Assessment (1/4 mile radius of location)**

- ☐ Mostly commercial businesses (1 pt)  
☒ Some businesses, some residential (2 pts)  
☐ Mostly residential (3 pts)

Low Risk ( 12pts or less)  
Medium Risk (13 – 18pts)  
High Risk (19 – 24pts)

**Total Points** 9

**VIII. Owner(s) records check**

- ☒ No criminal incidents (0 pts)  
☐ Minor criminal incidents (2 pts)  
☐ Multiple/Major criminal incidents (3 pts)

**OWNER NAME:** Germiniano Tubao CDL - C3726370 **DOB:** 09/08/1967

**OWNER ADDRESS:** 657 10th Street, Imperial Beach, CA 91932

**OWNER NAME:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

**OWNER ADDRESS:** \_\_\_\_\_

**Recommendation:**

NCPD does not have a dedicated or proactive ABC enforcement unit to regulate businesses.

High crime rate in the area/beat 395.1% ABC considers 120% high.

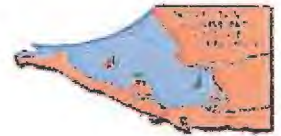
Business has been closed for over a year, the calls for service do not apply to the applicant business.

Type of business in the assessment does not apply - 0 points

No entertainment - 0 points

Located right next to Integrity Charter School

**Completed by:** \_\_\_\_\_ **Badge ID:** \_\_\_\_\_



## **Environmental Scan for Alcohol License C.U.P.**

### **Craft Beer Tasting and Beer Garden**

27 & 41 East 8<sup>th</sup> Street, National City, CA 91950

July 6, 2016



Photo of empty building for Beer Tasting and a Beer Garden in National City



Google Earth View of 27 & 41 East 8<sup>th</sup> Street and Surrounding Area

This environmental scan is for an amendment on the existing Conditional Use Permit for the Beer Tasting and Beer Garden to be located at 27 & 41 East 8<sup>th</sup> Street in National City. The applicant is applying for a Conditional Use Permit to expand the amount of area within the business for sales of Beer. The business is located east of the 5 Freeway and National City Blvd. in National City. An environmental scan was conducted on Wednesday, July 6, 2016.

The business is the Beer Tasting and Beer Garden which will be located in a public food court. The location will have approximately 14 retail suites, 2 food vendors and a public food court with a sidewalk café on "A" Avenue. During a scan of the business and property the following was noted:

There are currently 3 on-sale alcohol retail business within a block and ½ of the proposed site.

The business is located in an area with other local businesses, single-family residences, multi-housing units and a hotel in the immediate area.

### **Youth Sensitive Areas**

The business is not located near any youth sensitive areas.

*Funded by the San Diego County Health and Human Services Agency*  
2615 Camino del Rio So. #300 • San Diego, California, 92108 • Phone: 619.476-9100 • Fax: 619.476-9104

[www.publicstrategies.org](http://www.publicstrategies.org)

## Churches

The business is not located near any youth sensitive areas.

## Outlet Density

According to the ABC, five (5) on-site licenses are authorized for Census Tract 0118.01, the census track within the area of which 27 & 41 East 8<sup>th</sup> Street is located. Currently there are three (3) on-sale licenses issued for the Census Tract is 0118.01. There are currently 3 on-sale business within a block and ½ of the proposed site.



## Census Tracts

	<b>Off-Sale</b>	<b>On-Sale</b>
<b>Tract 0118.01</b> <i>Establishment is within this tract</i>	Allowed: 2 Actual: 2 Number Above/Below Allowable: -	Allowed: 5 Actual: 3 Above/Below: -2
<b>Neighboring Census Tracts</b>		
Tract 117	Allowed: 8 Actual: 14 Number Above/Below Allowable: <b>+6</b>	Allowed: 4 Actual: 8 Above/Below: <b>+4</b>
Tract 219	Allowed: 8 Actual: 10 Number Above/Below Allowable: <b>+2</b>	Allowed: 4 Actual: 6 Above/Below: <b>+2</b>

## **Crime Rate**

Refer to National City Police Department for crime data.

## **Considerations**

Should a CUP be issued we would recommend that:

Staff, management, and owner be required to attend the Responsible Beverage Sales and Service training.

Security be required for evening hour for the outside beer garden area.

Business hour should not exceed 10:00 PM.

# CITY COUNCIL POLICY

**TITLE:** Alcohol Beverage License Application Review Process and Alcohol Conditional Use Permit Standards.

**POLICY NUMBER:** 707

**ADOPTED:** November 12, 1991    **AMENDED OR REVISED:** August 16, 2011

**PURPOSE/BACKGROUND:**

To streamline the process of alcohol license application review to ensure timely staff responses and/or protests to the Department of Alcoholic Beverage Control regarding these applications.

The City Municipal Code requires Conditional Use Permits for the sale of alcohol. Such land use regulation is designed to ensure that the health, safety and welfare of the community do not become negatively impacted. In order to minimize any potential adverse effects of alcohol sales for both on and off-site consumption, including public drunkenness, disorderly conduct, illegal sales or domestic violence, the City adopts conditions of approvals and enact policies designed to protect the public from such effects. The following sets forth the City Council's policy on the applicable alcohol standards for Conditional Use Permit applications for both on and off-sale alcohol sales, as well as the Department of Alcoholic Beverage Control application notification requirements.

**POLICY:**

The Department of Alcoholic Beverage Control (ABC) sends copies of all alcoholic beverage license applications to the Police Department. The City has thirty days from the date of the ABC mailing to provide comments to the ABC. If no protests are received within that time period, the ABC issues the license.

The Police Department is responsible for ensuring that an appropriate Conditional Use Permit (CUP) exists for the applicant business. If such a CUP exists, the copy of the application is simply filed by the Police Department in the existing file with the notation that there were no objections to the issuance of the license. If it is a new (in the case of an "original" license application) or expanding business or one seeking a license to effect a premises transfer, and no CUP exists, the Police Department is responsible for sending a letter to the ABC protesting the issuance of the license until a CUP is issued by the City.

Whenever such a protest letter is sent to the ABC, that agency notifies the applicant that they must begin the process of obtaining a CUP with the City's

Planning Department and that the issuance of the alcoholic beverage license will be delayed until such time as the protest is withdrawn.

Once a CUP has been issued, the Planning Department notifies the Police Department of that issuance and it is then the responsibility of the Police Department to notify the ABC that the protest is withdrawn.

The CUP application, approval and issuance process is such that it provides all the checks, balances and controls necessary to ensure that businesses seeking alcoholic beverage licenses are in compliance with local standards.

These conditions of approval shall apply to all new Conditional Use Permits (CUP's) for the sale of alcohol for on and/or off-site consumption and modifications of existing CUPs for such sales as specified by the preceding parenthetical references with each condition. These references specify to which type of alcohol CUP being applied for the conditions would apply to – on-sale (restaurant, bar, etc.) or off-sale (market, grocery store, etc.). Regulation of these conditions and allowances shall be enforced through the Conditional Use Permit process, specifically conditions of approval to read as follows:

1. **(off-sale alcohol)** The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
2. **(off-sale alcohol)** No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
3. **(off-sale alcohol)** No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
4. **(off-sale alcohol)** Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
5. **(off-sale alcohol)** The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
6. **(off-sale alcohol)** All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
7. **(off-sale alcohol)** Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
8. **(off-sale alcohol)** The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit \_\_, Case File No. \_\_, dated \_\_.

9. **(off-sale alcohol)** Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
- a. "No open alcoholic beverage containers are allowed on these premises."
  - b. "No loitering is allowed."
10. **(off-sale alcohol)** Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
11. **(off-sale alcohol)** Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
12. **(off-sale alcohol)** The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
13. **(on and off-sale alcohol)** All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
14. **(on-sale alcohol)** The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
15. **(on-sale alcohol)** Alcohol shall be available only in conjunction with the purchase of food.

16. **(on-sale alcohol with patio)** Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.

The sale of three-packs of 24-oz cans of beer shall apply retroactively to all existing off-sale CUPs where a condition exists limiting sales to no less than six-pack quantities. However, businesses wishing to avail themselves of this modification must conform with all regulations of the Department of Alcoholic Beverage Control (ABC).

The Council may, at its sole discretion, choose to waive or modify any of the above conditions.

## **Attention Neighbors**

**You're invited to a community meeting to discuss the development of a new remodel of a vintage building, located at the corner of 8th & A, 41 East 8th Street.**

**The owners and development team are excited about the enhancement of this property.**

**Planned as a Public Market, it is set to revitalize and enhance the neighborhood and bring new life to an otherwise empty building.**

**8th Street Public Market is planned as a 7-day a week Public Market and event venue offering the best of what the National City region has to offer. Showcased in an urban and rustic setting, our artisans include an ethnic variety of prepared foods, a designer coffee bar, various retail shops and local vendors, and an award winning craft beer tasting room and outdoor garden space.**

**Stop by and join us at our Community Meeting, where we plan to exhibit what our Market is set to look like, discuss and answer questions about what's coming and share with our neighbors, what will be National City's newest hot spot.**

**Date: June 29**

**Time: 5 pm**

**Location: 41 East 8th Street, National City**

**(on the corner of East 8th Street and A Avenue, next to our neighbor, Niederfrank's)**

**We hope you can join us for this informative event about the space**

# NEIGHBOR COMMUNITY MEETING SIGN IN SHEET

NEIGHBORS IN ATTENDANCE FOR THE COMMUNITY MEETING  
REGARDING THE

NAME	8TH STREET PUBLIC MARKET LOCATION ADDRESS	PHONE
1 Froilan Songo		
2 Juana Medina	619 259-8019	
3 Roberto Zamora	Same as	
4 Gordon Macmillan	Representing 23 RESIDENTS and Homeless Society	
5 Neli Solis	nsolis@rosanopartners.com	
6 Marvellen Fought	(619) 477-0828 Niederfrank's	
7 Jeff Cooper	3528 Foot Hill Ave #10168-36 Palm Springs CA 92262	
8 JOSHUA KENNER	PO BOX 60045 SD CA 92160	
9 MARTIN REEDER	CITY STAFF 619-990-8944	
10 PAOLO PAREDES	6605 La Jolla Blvd, LA JOLLA CA 92037	
11 Ellen Nobles	1419 E. 8th St. NC 91950	
12 Luis Castro	127 E. 8th St. NC 91950	
13 Armando Aguayo	103E 24th St NC 91950	
14 Angie Tubao	700 WESTEST, S.D. 92101	
15 NANCY ESTOLANO	Nancy@Catherin.com 619 829-2517	

# NEIGHBOR COMMUNITY MEETING SIGN IN SHEET

NEIGHBORS IN ATTENDANCE FOR THE COMMUNITY MEETING  
REGARDING THE  
8TH STREET PUBLIC MARKET LOCATION

	NAME	ADDRESS	PHONE
1	MIKE OSBORN	3528 FOOTHILL AVE.	209 952 9111
2	MIKE.OSBORN@	PALM SPRINGS	92262
3	LYCOS.COM		
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WILLING TO WRITE LETTER OF SUPPORT

## Martin Reeder

---

**From:** Joshua Renner <joshuarenner@att.net>  
**Sent:** Monday, July 11, 2016 10:00 AM  
**To:** Martin Reeder; Joshua Renner  
**Subject:** Community Group meeting notes

Hi Martin

Here are the minutes to our meeting and the sign-in sheets attached on a separate email following this one:

-----

July 9, 2016

**To:** City of National City Planning Department  
**Fr:** Joshua Renner, Paredes-Renner Architecture

**Re:** 8th Street and A Ave Public Market  
Community Meeting Minutes:

On June 29, the Tubao Family and their design team, Paredes-Renner Architecture, held a community meeting inviting the neighbors of this property to chat about the venture.

I started the meeting a little late, at 5:20pm, allowing some other members of the community to arrive.

It was immediately questioned by Janice Martinelli, President of the Historical Society, why we are having the meeting at 5pm, when hardly anyone could attend.

I replied, stating that it was an agreed upon time by the owner and City Staff.

As the meeting progressed, I gave a bit of history about the two spaces at 41 East 8th.

I then moved into what our proposal is going to entail, touching on describing what the work would look like, how the project would improve the neighborhood, raise property values and create a better walk-score to this small portion of the community.

There was a late-comer, Armando A. that spoke up and voiced his strong opposition to ANY re-development in these two properties, as "anything" that goes in there will worsen the neighborhood's current lack of parking situation and create a gentrification issue. He went on again to mention that he'd rather see completely empty commercial buildings, than "any" growth and re-development in the area and added that NO one but National City residents should be allowed to have businesses here in the City.

We ping-ponged our opinions and I managed to throw in what the Municipal Code sets forth and told him that as a non-residential use to a non-residential use, there is no requirement for us to add further

parking. And I added also, that anyone (including businesses not living in National City) can have a business within the City as long as they met Code requirements.

This seemed to upset him even more. As Armando went on to speak, he got off on tangents about the tower condos, the historic Brick Row, and everyone around his dwelling at E. 9th Street, voicing that there's never any parking. (After the meeting, I went by his location and noticed that the row homes come with their own dedicated parking, within their rear yard spaces).

Martin Reeder stood up and asked that we stay on point and that our meeting not get hijacked, pulling other project's into this meeting, as that's not what's being discussed.

I went on to do a walk through of our space's floor plan that we had mounted along with concept photos of a similar space in Little Italy.

I invited the neighbor's to please feel free to come up and look at them, so they get a well rounded view of what the proposition entails.

There was much chatter and opposition about the Tasting Room going into the Public Market, as the neighbors were very concerned that we'd become like McDinni's Bar, located across the street, very noisy and boisterous.

We assured the neighbors that it was our intent to evoke a light, airy/open, family friendly atmosphere, where people can gather and have a beer, converse and shop, the complete opposite of McDinni's Bar, for our space.

I asked if there was any other questions and Mike Osborn, an owner of two units in the condo tower, stood up and asked what he needed to do for the City Council, to offer his full support of our project. I stated that I'd speak to him after the meeting. He mentioned that it would really help turn the area around.

I ended the meeting after asking again if there were any other comments or questions. There were none.

Respectfully Submitted,

Joshua Renner  
Paredes-Renner Architecture  
[joshuarenner@att.net](mailto:joshuarenner@att.net)  
[619.990.8942](tel:619.990.8942)

Joshua Renner  
Design Consultant  
Josh Renner Design  
[joshuarenner@att.net](mailto:joshuarenner@att.net)



**CITY OF NATIONAL CITY  
Office of the City Clerk**

1243 National City Blvd., National City, California 91950  
619-336-4228 phone / 619-336-4229 fax

Michael R. Dalla, CMC - City Clerk

## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of National City will hold a Public Hearing after the hour of **5:00 p.m.**, **Tuesday, August 2, 2016**, in the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider a:

### **CONDITIONAL USE PERMIT FOR A CRAFT BEER TASTING ROOM AT 27 & 41 EAST 8<sup>TH</sup> STREET**

Anyone interested in this matter may appear at the above time and place and be heard.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the undersigned, or to the City Council of the City of National City at, or prior to, the Public Hearing.

The Planning Commission conducted a Public Hearing at their meeting of July 18, 2016 and voted to recommend approval of the Conditional Use Permit by a vote of 6 to 1.

July 20, 2016

\_\_\_\_\_  
Michael R. Dalla, CMC  
City Clerk

**JUNE 28, 2016**

**41 EAST 8<sup>TH</sup> STREET DEVELOPERS**

RECEIVED  
JUN 28 2016  
CITY OF NATIONAL CITY  
PLANNING  
AND TRULINE JO

**WE ARE NOT IN FAVOR OF YOUR INTENTIONS TO OPERATE  
A BEER BAR OR BEER-TASTING ROOMS AT THE 41 EAST 8<sup>TH</sup>  
LOCATION.**

**YOUR BUSINESS STRUCTURE CANNOT SUPPORT SUCH AN  
OPERATION AS YOU HAVE NO PARKING.**

**MCDINT'S HAS EXPERIENCED PROBLEMS WITH UNRULY PATRONS  
FROM SURROUNDING BUSINESSES ILLEGALLY USING OUR PARKING  
LOT LOCATED ACROSS THE STREET FROM YOUR PROPOSED  
LOCATION THAT HAS CAUSED OVER 50 DOCUMENTED POLICE  
CALLS FOR SERVICE, NOT OF OUR CAUSE.**

**WE COULD SUPPORT YOUR PLANS FOR BEER-TASTINGS IF AND  
WHEN YOU PROVIDE SUFFICIENT PARKING & SECURITY, SOMETHING  
THAT DOES NOT APPEAR TO HAVE BEEN ADDRESSED IN YOUR  
JUNE 24, 2016 GENERIC FLYER.**

**SINCERELY;**

**MCDINT'S RESTAURANT CORP**

**P.O.BOX 2885**

**NATIONAL CITY, CA 91951-2885**

JUN 29 2016

RECEIVED

June 27, 2016

Development team & Property Owner

41 East 8<sup>th</sup> Street

National City, CA 91950

To whom it concerns;

I am opposed to your plans to sell or offer any on-premise

Consumption of beer, beer products, or beer tastings.

It appears you plan to open a tasting room that would

Offer alcohol (beer) in a quasi-bar setting.

You are not fooling anyone with the mention of "event

Venue" and "beer tastings" combined in one.

You should be aware that you cannot legally operate a

Bar or "quasi-bar" within 500' of a school or church.

Your "tasting room" (on site bar) would be located 18'

From a charter school operating daily.

Your property does not currently have any parking,

Any patron parking overflow would serve to damage

The surrounding parking flow and possibly necessitate

Calls for police service in an area that already contains

A market-liquor store and a full service bar on the

Opposite corners.

I would support your plans for a Public Market as

Long as there is no on site beer tastings, on site beer

Sales, and no public events based upon the non-existence

Of any parking for your patrons.

By the way, if you were truly upfront about your "exciting"

Intentions to operate in National City, you would list actual

Names, profiles and contact information as opposed to complete

Anonymity, solely limited to a building address.

Howard Adler Trust

*Howard Adler*

P.O.Box 15352

San Diego, CA 92175

Cc: Martin Reeder

JL 27, 2016

TO:

Developer of site owner,

from: 706 "A" Avenue

RECEIVED

JUN 29 2016

CITY OF NATIONAL CITY  
PLANNING

We are opposed to your plans to open or  
operate an "Event Center" or "Beer-Tasting"  
(Brewery) Beer Bar at 41 East 8th Street.

Our business is located adjacent to your  
site with a small parking lot for cars, trucks  
& patrons.

It is foreseeable that due to your lack of parking,  
your potential customers would encourage an lot,  
causing a myriad of unnecessary problems and  
calls for police service due to reactions of  
agony. Violations, that would be attributed to your  
business.  
We don't want this potential headache!

Build a parking lot & then we can revisit  
your "Beer Selling" Bar plans down the road.



706 "A" Avenue  
National City, OH 44145

HANDOUT

ITEM NO: 4

DATE: 7/18/16

July 18, 2016

National City Planning Department

Attn: Martin Reeder-Planner

1243 National City Blvd

National City, CA 91950



Dear Sir;

I understand there is a meeting scheduled for today pertaining to Development at 27-41 East 8<sup>th</sup> Street.

There also may be speculation concerning discussions of plans to close or modify the alley located directly behind National City Blvd And "A" Avenue's, adjacent to the rear of 27-41 East Street bldg's.

This is a bad idea, one that has already been decided as recent as 1999, pursuant to police department comments, "Police and Fire Services require 24hr accessibility of the alley behind "A" Avenue And National City Blvd's".

I believe that any new or incoming stores or businesses should have To construct new facilities for any parking and that EZ two-way alley Access is essential to the lifeblood of the school, the condominium Tenants, and the longtime existing businesses that occupy "A" Ave. If proposed new businesses are contemplating future parking or Pedestrian issue's, the developers have to follow the guidelines we All follow in seeking out solutions for parking and pedestrian flow.

Page Two

Neither the public, other business and property owners, and above all,  
Adjacent homeowners, should have to be forced to suffer any sort of  
Inconvenience due to loss of alleyway egress.

BAD IDEA, BAD IDEA, BAD IDEA.

Sincerely;

A handwritten signature in black ink, appearing to read "Howard Adler". The signature is fluid and cursive, with the first name "Howard" and last name "Adler" clearly distinguishable.

Howard Adler Trust

Vee Auto Parts/Alpine Europarts

Charlton Mfg

Cc: Star News

HANDOUT

ITEM NO. 4

DATE: 7/18/16

Señores de la Ciudad,

Hay una persona que vive en los apartamentos  
de 624 "A" avenida en National City.  
Recibe la carta donde dice que van a ser una  
puente y cerros y jardín para

No estoy de acuerdo con esto!

Mis niñas van al Escuela del after para  
National City Blvd. desde la misma escuela para  
pasar por el callejon de atrás del escuela.

Si hay buechos o gente fumando como antes,  
se pueden lastimar y no queremos esto.

No hay estacionamiento y va causar mas problemas.  
Además, a nadie le interesa Nada en este area  
mas que los señores del Martin's Restaurant que limpian  
la basura y sacan y corren a los "homies" y prostitutas  
que andan atrás del callejon del escuela.

No se quien es son los del mercado sospechosos, pero  
no sirven la area ni saben consultar sobre que

Supuestamente van a tener servicios en cualquier cantidad.  
No queremos este tipo de gente ni si operaran  
simplemente cerros sin similitud 24 horas, y  
sin estacionamiento amable!

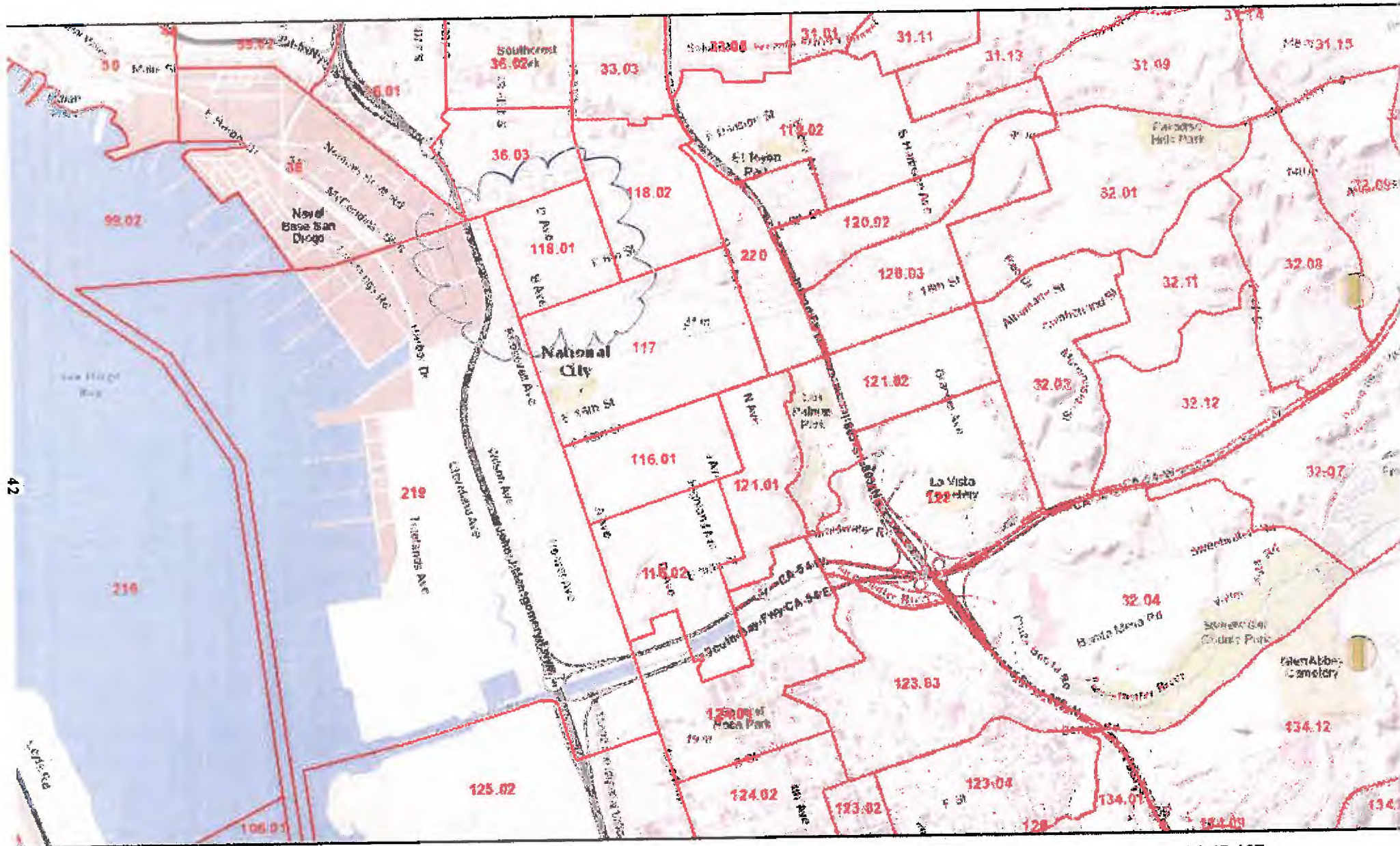
RECEIVED

JUL 28 REC'D

National City Planning Division  
National City, CA 91950

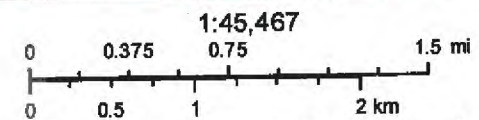
Quiero.

624 - 634 "A" Avenue

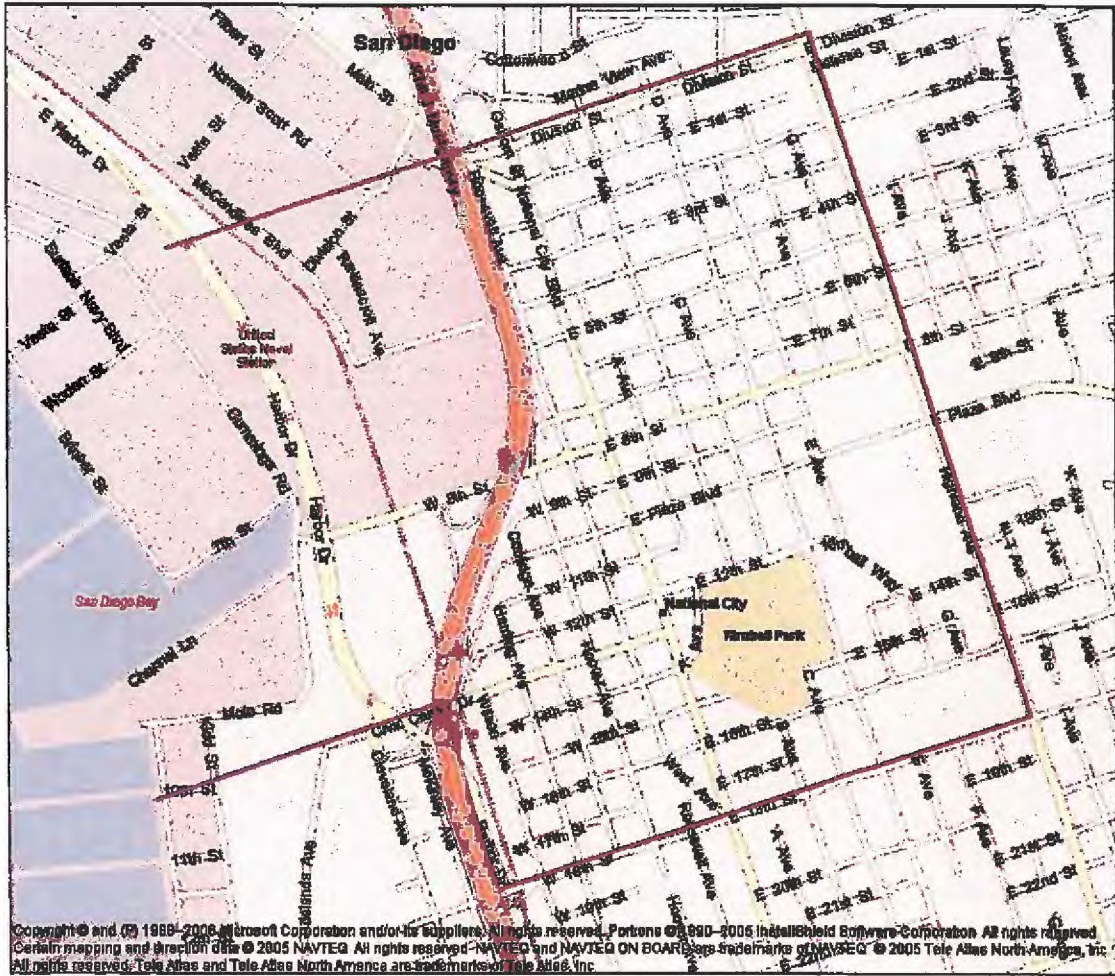


August 25, 2014

CensusTracts 2010



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P, GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, OpenStreetMap contributors, and the GIS User Community



## City of National City Beat 20

Source: Microsoft Mappoint  
NCPD CAU, 4/18/07

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City denying a street vacation request for vacation of a segment of “A” Avenue located south of East 28th Street and north of East 29th Street. (Applicant: Frank Motors) (Case File No. 2013-23 SC) (P

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Resolution of the City Council of the City of National City denying a street vacation request for vacation of a segment of "A" Avenue located south of East 28<sup>th</sup> Street and north of East 29<sup>th</sup> Street. (Applicant: Frank Motors) (Case File No. 2013-23 SC)

**PREPARED BY:** Martin Reeder, AICP

*MR*

**DEPARTMENT:** Planning

**PHONE:** 619-336-4313

**APPROVED BY:** 

**EXPLANATION:**

The City Council held public hearings on December 16, 2014, March 17, 2015, June 2, 2015, June 7, 2016, and finally on June 21, 2016. At the June 21<sup>st</sup> public hearing the City Council voted to deny the applicants' street vacation request due to the current and prospective public use of the street proposed to be vacated.

The attached resolution is needed to take action on the item.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the attached Resolution

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Resolution

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving the Final Audit Report for the Morgan Square Business Improvement District for the period from January 1, 2008 through and including June 30, 2014

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City approving the Final Audit Report for the Morgan Square Business Improvement District for the period from January 1, 2008 through and including June 30, 2014.

**PREPARED BY:** Raymond Pe, Principal Planner

**PHONE:** 336-4421

**DEPARTMENT:** Planning Division

**APPROVED BY:** 

**EXPLANATION:**

Background report attached.

**FINANCIAL STATEMENT:**

The Successor Agency and City will recover \$54,006.92 in attorney's fees from the settlement.

**APPROVED:** 

Finance

**APPROVED:** \_\_\_\_\_

MIS

**ACCOUNT NO.**

**ENVIRONMENTAL REVIEW:**

This action is not subject to the California Environmental Quality Act since it is not a project as defined in the California Code of Regulations, Section 15378.

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the resolution approving the Final Audit Report.

**BOARD / COMMISSION RECOMMENDATION:**

Not applicable.

**ATTACHMENTS:**

1. Background Report
2. Settlement Agreement
3. Final Audit Report

## **Attachment 1 Background Report**

The Morgan Square Property and Business Improvement District was formed on August 3, 2004, pursuant to the California Property and Business Improvement District Law of 1994 (Sts & Hwy Code Section 36600 et seq., "PBID Law"). The District was established to provide for the maintenance, operations, and servicing of certain improvements in the District, which generally includes parcels with frontage on National City Boulevard and Roosevelt Avenue between 2<sup>nd</sup> Street and 12<sup>th</sup> Street and on 8<sup>th</sup> Street between Interstate 5 and D Avenue.

On March 8, 2005, the Community Development Commission and National City Morgan Square, Inc., entered into an agreement for the administration and operation of the District pursuant to the Management District Plan and PBID Law. Subsequently, the City transferred approximately \$1,163,000 collected from the levy of assessments in the District to Morgan Square. In return, Morgan Square was to utilize these funds as set forth in the Agreement for activities and services in the District.

The District expired by its own terms in 2010 in accordance with the PBID Law. No action was taken by any of the Parties to renew the District, and it has not been renewed. On June 25, 2013, the City and the Successor Agency filed suit against Morgan Square for breach of the agreement and violation of the PBID Law based upon: (1) not providing certain accounting records and documentation to the City; and (2) upon expiration of the District, not taking steps to refund the remaining District Funds in Morgan Square's possession to the assessed property owners.

In September 2013, on the City's motion, the Superior Court for the County of San Diego issued a temporary restraining order to restrict the use of funds within Morgan Square's possession. In November 2013, an injunction was ordered by the Court prohibiting Morgan Square from using the District funds other than for a specific use approved by the Court, that being payment for Court approved legal expenses incurred by Morgan Square.

Subsequently, the Parties negotiated a Settlement Agreement and Release, which was approved by the City Council on December 15, 2015 and the Oversight Board of the Successor Agency on April 20, 2016. Under the terms of the Agreement:

1. Morgan Square shall prepare and submit a final audit to the City.
2. Morgan Square shall return the funds to the City.
3. The City will refund the funds in accordance with PBID Law.
4. The Successor Agency and the City shall recover \$54,006.92 in attorney's fees, payable from the funds.

Pursuant to the Settlement Agreement, Morgan Square has prepared the Final Audit Report for the period from January 1, 2008 through and including June 30, 2014. The proposed resolution would approve the Final Audit Report for the Morgan Square

**Business Improvement District.** Pursuant to the Settlement Agreement, within five days of the final approval of the settlement by the Successor Agency and the City, the Oversight Board of the Successor Agency, and the State of California Department of Finance, Morgan Square shall return all District Funds in the possession of Morgan Square to the City.

The Settlement Agreement allows the City to charge against the District funds its costs incurred as a result of the litigation compelled by Morgan Square through the date of execution of the Agreement and to refund remaining funds in accordance with the Property Based Improvement District (PBID) Law. Any individual or entity entitled to a refund may assign that refund to Morgan Square by appropriate documentation.

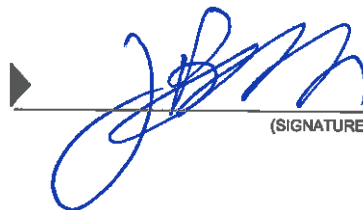
The releases contained in the Settlement Agreement are contingent upon the "Effective Date of Release," which is when the City and the Successor Agency approve the final audit at a public hearing and the expiration of applicable times to challenge administration of the District by Morgan Square, distributions or refunds under the PBID Law, and/or to seek and initiate refund claims.

Upon the Effective Date of Release, all parties would release each other of any obligations, liabilities, and claims with respect to the litigation. The Settlement Agreement resolves and discharges all claims and defenses in the litigation and provides that all parties waive all rights of appeal and motions. The Settlement Agreement provides for the Successor Agency and the City to recover attorneys' fees and costs, including the negotiation, drafting, and execution of the Settlement Agreement.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Charles B Christensen, Esq. (SBN 56728)</b> <b>Joel B. Mason, Esq. (SBN 207708)</b> <b>Christensen &amp; Spath LLP</b> <b>550 West C Street, Suite 1660, San Diego, CA 92101</b> TELEPHONE NO.: <b>619-236-9343</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>Plaintiffs City of National City, et al.</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego</b> STREET ADDRESS: <b>330 West Broadway</b> MAILING ADDRESS: <b>330 West Broadway</b> CITY AND ZIP CODE: <b>San Diego, 92101</b> BRANCH NAME: <b>Hall of Justice</b>	
PLAINTIFF/PETITIONER: <b>City of National City, et al.</b> DEFENDANT/RESPONDENT: <b>Morgan Square, Inc.</b>	
<p align="center"><b>NOTICE OF ENTRY OF JUDGMENT OR ORDER</b></p> <p>(Check one): <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b> (Amount demanded exceeded \$25,000) <input type="checkbox"/> <b>LIMITED CASE</b> (Amount demanded was \$25,000 or less)</p>	CASE NUMBER: <b>37-2013-00054606-CU-OR-CTL</b>

**TO ALL PARTIES :**

1. A judgment, decree, or order was entered in this action on (date): **3/25/2016**
2. A copy of the judgment, decree, or order is attached to this notice.

Date: **4/01/2016****Joel B. Mason**(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


(SIGNATURE)

PLAINTIFF/PETITIONER: City of National City, et al.

CASE NUMBER:

37-2013-00054606-CU-OR-CTL

DEFENDANT/RESPONDENT: Morgan Square, Inc., et al.

**PROOF OF SERVICE BY FIRST-CLASS MAIL  
NOTICE OF ENTRY OF JUDGMENT OR ORDER**

**(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:

Christensen & Spath LLP, 550 West C Street, Suite 1660 San Diego, CA 92101

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and *(check one)*:

- a. ☒ deposited the sealed envelope with the United States Postal Service.  
b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Entry of Judgment or Order* was mailed:

- a. on *(date)*: 4/01/2016  
b. from *(city and state)*: San Diego, CA

4. The envelope was addressed and mailed as follows:

- a. Name of person served:

Attorney Mr. Steve Haskins

Street address: 4045 Bonita Road, Suite 206

City: Bonita

State and zip code: California, 91902-1336

- c. Name of person served:

Street address:

City:

State and zip code:

- b. Name of person served:

Street address:

City:

State and zip code:

- d. Name of person served:

Street address:

City:

State and zip code:

☐ Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*

5. Number of pages attached 14.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/01/2016

Michelle Lanfried

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

1 Charles B. Christensen (SBN 56728)  
2 Joel B. Mason (SBN 207708)  
3 CHRISTENSEN & SPATH LLP  
4 550 West C Street, Suite 1660  
5 San Diego, CA 92101  
6 Tel: (619) 236-9343  
7 Fax: (619) 236-8307

8 Claudia G. Silva (SBN 167868)  
9 City Attorney  
10 CITY OF NATIONAL CITY  
11 1243 National City Boulevard  
12 National City, CA 91950  
13 Tel: (619) 336-4220  
14 Fax: (619) 336-4327

15 Attorneys for Plaintiffs City of National City and The  
16 Successor Agency to the Community Development  
17 Commission of the City of National City

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego

**03/21/2016 at 08:34:00 AM**

Clerk of the Superior Court  
By Jenitta Missimo, Deputy Clerk

[Fee Exempt, Gov. C. § 6103]

11 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **IN AND FOR THE COUNTY OF SAN DIEGO**

13 THE CITY OF NATIONAL CITY, a  
14 municipal corporation; THE SUCCESSOR  
15 AGENCY TO THE COMMUNITY  
16 DEVELOPMENT COMMISSION AS THE  
17 NATIONAL CITY REDEVELOPMENT  
18 AGENCY; and ROES 1 through 10,

19 Plaintiffs,

20 v.

21 MORGAN SQUARE INC., a California  
22 nonprofit corporation; NATIONAL CITY  
23 MORGAN SQUARE, INC., an entity of  
24 unknown origin; and DOES 1 through 25,  
25 inclusive,

26 Defendants.

CASE NO. 37-2013-00054606-CU-OR-CTL

**STIPULATION FOR SETTLEMENT AND  
(PROPOSED) ORDER APPROVING  
GOOD FAITH SETTLEMENT  
BETWEEN CITY OF NATIONAL CITY  
[CITY] AND MORGAN SQUARE, INC.;  
ORDERING TURN OVER OF FUNDS TO  
THE CITY; ALLOWING  
REIMBURSEMENT OF CITY'S  
ATTORNEYS' FEES; DISSOLVING THE  
PRELIMINARY INJUNCTION ISSUED  
IN THIS CASE UPON PAYMENT OF  
THE FUNDS TO THE CITY;  
RETAINING JURISDICTION TO  
ENFORCE THE SETTLEMENT AND  
THE ORDERS OF THE COURT**

**IMAGED FILE**

Date: \_\_\_\_\_, 2016

Time:

Complaint Filed: June 25, 2013

Dept: 71

Judge: Hon. Gregory W. Pollack

Stipulation for Settlement and (Proposed) Order Approving Good Faith Settlement

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs, City of  
2 National City and The Successor Agency to the Community Development Commission as the  
3 National City Redevelopment Agency, and Defendants, Morgan Square Inc., a California non-  
4 profit corporation and National City Morgan Square, Inc., by and through their respective  
5 counsel of record, having reached a settlement of their dispute concerning the remaining funds  
6 in the Downtown National City Property Business Improvement District ("PBID"), the status of  
7 said funds being the central subject of the above-captioned lawsuit.

8 The Parties understand that each Party has the right to a trial of the matter, various  
9 appeal rights, rights to move for a new trial, to set aside the judgment, and other remedies  
10 directly and indirectly challenging the judgment. However, after a review of all the issues, the  
11 Parties agree that they, and each of them, do not elect to try the matter, and instead agree to the  
12 following stipulation for settlement of the issues that were raised or could have been raised in  
13 the above-captioned lawsuit. The parties request that the Court retain jurisdiction over them to  
14 enforce the settlement until performance in full of its terms.

15 The Parties stipulate as follows:

16 **SETTLEMENT AGREEMENT AND RELEASE**

17 This Settlement Agreement and Release ("Settlement Agreement") is made this  
18 \_\_\_\_\_ day of February 2016, by and between MORGAN SQUARE, INC. ("Morgan  
19 Square"), THE CITY OF NATIONAL CITY, a municipal corporation ("City"), and THE  
20 SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE  
21 NATIONAL CITY REDEVELOPMENT AGENCY ("Successor Agency"). Morgan Square,  
22 the City and the Successor Agency are collectively referred to herein as the "Parties".

23 **RECITALS**

24 A. On August 3, 2004, pursuant to City Council Resolution No. 2004-148, the City  
25 established the Downtown National City Property and Business Improvement District, also  
26

1 known as Morgan Square (the "District") pursuant to the California Property and Business  
2 Improvement District Law of 1994 (found at Sts. & Hy. Code, § 36600 et seq., "PBID Law").

3 B. The City delegated oversight of the District to the Community Development  
4 Commission of the City of National City ("CDC"). On March 8, 2005, the CDC and National  
5 City Morgan Square Inc. entered into a written agreement for administration and operation of  
6 the District pursuant to the Management District Plan and PBID Law ("Agreement"). Even  
7 though the Agreement was entered into by "National City Morgan Square, Inc.", Morgan  
8 Square was and is the contractor providing services in the District.

9 C. The City transferred approximately \$1,163,000 collected from the levy of  
10 assessments in the District to the Contractor (the "District Funds"). In return, Contractor was to  
11 utilize the District Funds as set forth in the Agreement for activities and services in the District.  
12 The District expired by its own terms in 2010, and in accordance with the PBID Law, and no  
13 action was taken by any of the Parties to renew the District and it has not been renewed.

14 D. The Successor Agency was created by the City Council of the City of National  
15 City pursuant to Resolution No. 2012-15 and Part 1.85 of the Health and Safety Code to serve  
16 as the Successor Agency to the CDC (the Redevelopment Agency) upon its dissolution under  
17 Assembly Bill ABX1-26 (2011).

18 E. The City and the Successor Agency contend that Morgan Square is in breach of  
19 the Agreement and violation of the PBID Law by not providing certain accounting records and  
20 documentation to the City and by not taking steps to refund, upon expiration of the District, the  
21 remaining District Funds in Morgan Square's possession in accordance with PBID Law.  
22 Morgan Square disputes these contentions.

23 F. On June 25, 2013, City and Successor Agency filed a lawsuit against Morgan  
24 Square in the Superior Court for the County of San Diego, identified as Case No. 37-2013-  
25 00054606-CU-OR-CTL ("Litigation"), arising out of obligations and covenants under PBID  
26 Law and the Agreement, in order to preserve the status quo pending mediation. Mediation was  
27

1 unsuccessful and the Parties proceeded to litigation and the City was compelled to undertake  
2 pre-trial law and motion and discovery activity.

3 G. On or about September 16, 2013, on the City's motion the Court issued a TRO  
4 and then on or about November 19, 2013, an injunction prohibiting Morgan Square from using  
5 the District funds other than for a specific use approved by the Court, that being payment for  
6 Court approved legal expenses incurred by Morgan Square.

7 H. Without admitting any liability or fault, each of the Parties to this Settlement  
8 Agreement now desires to resolve all aspects of the Litigation among themselves.

9 **AGREEMENT**

10 NOW THEREFORE, in consideration of the foregoing and for good and valuable  
11 consideration the parties hereby agree as follows:

12 **1. Settlement.**

13 (a) Morgan Square hereby acknowledges and agrees that this Settlement Agreement  
14 is subject to approval by the Successor Agency and the City, the Oversight Board of the City of  
15 National City ("Oversight Board"), and review and approval of the State of California  
16 Department of Finance ("Department of Finance"). In the event the Successor Agency and the  
17 City, the Oversight Board, and/or of the Department of Finance, or any of them, do not approve  
18 this Settlement Agreement, then the Settlement Agreement shall become null and void.

19 (b) Morgan Square agrees to cooperate in all necessary steps to prepare a final audit  
20 report for the period from January 1, 2008 through and including June 30, 2015. This audit  
21 report is intended to be submitted to the City on or before April 1, 2016, for presentation,  
22 review, and approval at a public meeting. This will result in a separate analysis for any  
23 disbursements made by Morgan Square since the last audit by the Sonnenberg CPA firm, if any  
24 have been made. If none have been made the prior audit will satisfy this condition.

25 (c) Within five (5) days of the final approval of the settlement by the Successor  
26 Agency and the City, the Oversight Board of the City of National City, and the Department of  
27 Finance, to the extent necessary, Morgan Square shall pay all District Funds in the custody,  
28

1 possession, or control of Morgan Square. over to the City to be distributed as refunds pursuant  
2 to the PBID Law, specifically Streets and Highways Code section 36671.

3 (d) Morgan Square shall deliver all remaining District Funds to the City to be  
4 distributed as refunds in accordance with the PBID Law and Streets and Highways Code section  
5 36671. Except as otherwise expressly provided in this Agreement and that the City Of National  
6 City may be refunded assessments on properties owned by it for which it paid assessments, as  
7 provided by the Property and Business Improvement District Law of 1994, the City Of National  
8 City will not retain, obtain, charge, or in any way keep or collect any amount whatsoever from  
9 the District Funds to be refunded to the Morgan Square District members pursuant to this  
10 Agreement. Nothing in this Agreement is intended to alter the outcome under State law for  
11 return of the District Funds. Any breach by the City Of National City of this provision shall be  
12 considered a material breach of the Agreement and shall release the Morgan Square District  
13 from its obligations herein under.

14 (e) Execution of this Settlement Agreement shall not constitute a ratification of the  
15 acts of any of the Parties in connection with the District.

16 2. Dismissal of the Litigation. On June 25, 2013, the Successor Agency and the City were  
17 compelled to file the Litigation against Morgan Square after the latter failed to follow through  
18 on a negotiated settlement, and the City obtained an injunction to preserve the District Funds.  
19 The Parties hereby agree the Litigation shall be dismissed upon the Effective Date of the  
20 Release, defined below, or on a date determined by the Court within its discretion.

21 **3. Release of Claims.**

22 (a) Scope of Releases. The Parties and each of them, by and for itself hereby  
23 acknowledges and agrees that the scope of the mutual release and discharge of claims recited in  
24 Sections 3(b) and (c) below shall be interpreted to the broadest extent permissible under law.

25 (b) Effective Date of Release. The releases contained in this Settlement  
26 Agreement shall be contingent upon and shall not be effective until the "Effective Date of  
27 Release" which shall be when both of the following occur: (i) the City and the Successor  
28

1 Agency approve the final audit and any related reports at a public hearing; and (ii) the  
2 expiration of all applicable times, with no claims having been filed, to challenge the  
3 administration of the District and to challenge distributions or refunds under the PBID  
4 Law and/or to seek and initiate refund claims. Upon the occurrence of the Effective Date of  
5 Release and provided that the Department of Finance does not thereafter disapprove of the  
6 Settlement Agreement, the Parties shall mutually release one another from all obligations and  
7 liabilities with respect to the matters that were raised within the Litigation only.

8 (c) **Mutual Release and Discharge of Claims.** Effective only upon the Effective  
9 Date of Release, defined above, and provided that the Department of Finance does not thereafter  
10 disapprove of the settlement, and except for the obligations of the Parties under the terms of this  
11 Settlement Agreement, the Parties separately by and for itself, each freely and without coercion,  
12 fully and forever releases, acquits and discharges each other party hereto and their attorneys,  
13 sureties, agents, servants, representatives, employees, members, Council Members, officers,  
14 trustees, subsidiaries, affiliates, partners, predecessors, successors-in-interest, heirs, executors  
15 and assigns, and all persons acting by, through, under or in concert with them, of and from any  
16 and all past, present, or future claims, demands, obligations, actions, causes of action, damages,  
17 costs, attorney's fees, losses of service, expenses, liabilities, suits, and compensation of any  
18 kind or nature whatsoever, whether based on tort, contract, or other theory of recovery, claimed  
19 by any of them which arise from or relate to facts or events occurring on or before the date of  
20 this Settlement Agreement with respect to the Litigation only. The Parties expressly  
21 acknowledge and agree that this release shall extend to any and all claims, whether judicial,  
22 administrative or otherwise, including, without limitation, claims made with any court,  
23 commission, tribunal, board or administrative body with jurisdiction to consider such claims  
24 related to the Litigation. This release expressly extends to and bars any and all complaints,  
25 actions and/or proceedings, whether judicial or administrative, actually instituted by the Parties,  
26 or which could be instituted by any of the Parties, with respect to the Litigation. Nothing in this

1 Settlement Agreement shall be construed to mean that any of the Parties is or are waiving any  
2 rights to enforce this Settlement Agreement.

3 (d) **Waiver of California Civil Code Section 1542.**

4 (i) Effective only upon the Effective Date of Release, defined above, and  
5 provided that the Department of Finance does not thereafter disapprove of the Settlement  
6 Agreement, the release and discharge specified in Section 2(c), above, shall be effective to bar  
7 all claims, damages, claims for disability benefits, personal injuries, claims for compensation,  
8 controversies, actions, causes of action, obligations, liabilities, costs, expenses, attorneys' fees  
9 and damages of any character, nature and kind, whether known or unknown, suspected or  
10 unsuspected. In furtherance of this intention, the Parties and each of them expressly waives and  
11 relinquishes any and all rights and benefits conferred on them by the provisions of Section 1542  
12 of the California Civil Code.

13 (ii) The Parties understand that California Civil Code Section 1542 provides  
14 as follows:

15 A general release does not extend to claims which a creditor does not know or  
16 suspect to exist in his or her favor at the time of executing the release, which if  
17 known by him or her must have materially affected his or her settlement with the  
debtor.

18 (iii) It is expressly understood and agreed by the Parties that the possibility of  
19 unknown claims exists and has been explicitly taken into account in determining the  
20 consideration to be given for this Settlement Agreement and that a portion of the consideration,  
21 having been bargained for with full knowledge of the possibility of such unknown claims, was  
22 given in exchange for the release and discharge of the matters, claims and/or rights covered by  
23 this Settlement Agreement.

24 (iv) The Parties agree that if either or any of them hereafter commences, joins  
25 in, or in any manner seeks relief through any suit arising out of, based upon, or relating to any  
26 of the settled claims released hereunder, then he/she/it shall pay to the other parties, in addition  
27

1 to any other damages caused to the other parties thereby, all attorneys' fees incurred by the  
2 other parties in defending or otherwise responding to said suit of settled claims.

3 (v) This release shall not operate to release any claims the Parties may later  
4 have for the enforcement of the obligations created by this Settlement Agreement.

5 (vi) The Court approving this settlement shall retain jurisdiction to enforce  
6 and interpret the terms of the settlement as necessary, as requested by either of the parties on an  
7 ex parte basis.

8 **4. Representations and Warranties.**

9 (a) **Representation of Comprehension.** By entering into this Settlement  
10 Agreement, each party represents to the other that (i) each of them fully understands and accepts  
11 the terms of this Settlement Agreement; (ii) each of them has relied upon the legal advice of  
12 their attorneys or that they have freely and independently chosen not seek the advice of an  
13 attorney; (iii) each of them has had a full and ample opportunity to consult with any other  
14 professionals of their choice in connection with the rights and liabilities created by this  
15 Settlement Agreement; (iv) none of them has any questions with regard to the legal import of  
16 any term, word, phrase, or portion of this Settlement Agreement, or this Settlement Agreement  
17 in its entirety; and (v) each of them accepts the terms of this Settlement Agreement as written.

18 (b) **Representation of Approvals.**

19 (i) By the Successor Agency and the City. Except for the pending approval  
20 of the Settlement Agreement by the Successor Agency, Oversight Board, and Department of  
21 Finance, by entering into this Settlement Agreement, the Successor Agency and the City and the  
22 persons signing below on behalf of the Successor Agency and the City, each represents to  
23 Morgan Square that: (1) the persons signing below on behalf of the Successor Agency and the  
24 City are authorized to execute this Settlement Agreement on behalf of the Successor Agency  
25 and the City; and (2) this Settlement Agreement is binding on the Successor Agency and the  
26 City.

1 (ii) By Morgan Square. By entering into this Settlement Agreement, Morgan  
2 Square, and the person signing below on behalf of Morgan Square, each represents to the  
3 Successor Agency and City that: (1) this Settlement Agreement has been duly approved by all  
4 necessary board or member actions and no further or additional approvals are needed; (2) the  
5 person signing below on behalf of Morgan Square is authorized to execute this Settlement  
6 Agreement on behalf of Morgan Square; and (3) this Settlement Agreement is binding on  
7 Morgan Square.

8 **5. Compromise.**

9 This Settlement Agreement is the result of a compromise and shall never at any time or  
10 for any purpose be considered an admission of liability or responsibility on the part of any party  
11 hereto, nor shall the payment of any sum of money in consideration for the execution of this  
12 Settlement Agreement constitute or be construed as an admission of any liability whatsoever by  
13 any of the Parties hereto.

14 **6. General Provisions.**

15 (a) **Attorneys' Fees.** The Parties hereto acknowledge and agree that the Successor  
16 Agency and the City shall recover their reasonable attorneys' fees and costs in the reduced  
17 amount of \$54,006.92, incurred from having to bring the Litigation resulting in this Settlement  
18 Agreement, including without limitation, the negotiation, drafting, and execution of this  
19 Settlement Agreement, and all matters connected therewith. The City shall be allowed to pay  
20 itself these fees from the funds turned over to it by Morgan Square, upon approval of the audit  
21 on or before June 30, 2016. In the event any action or proceeding is brought to enforce this  
22 Settlement Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and  
23 costs against the non-prevailing parties, in addition to all other relief to which that party or those  
24 parties may be entitled. The "prevailing party" shall be that party who obtains substantially the  
25 result sought, whether by further settlement, dismissal, or judgment.

26 (b) **Construction of Settlement Agreement.** This Settlement Agreement is the  
27 product of negotiation and preparation by and among each party hereto and their respective  
28

1 attorneys. Accordingly, all Parties hereto acknowledge and agree that this Settlement  
2 Agreement shall not be deemed prepared or drafted by one party or another, or the attorneys for  
3 one party or another, and this Settlement Agreement shall be construed accordingly.

4 (c) **Binding Effect.** This Settlement Agreement shall be binding upon and inure to  
5 the benefit of the Parties hereto, and their respective heirs, executors, administrators, trustees,  
6 trustees, beneficiaries, predecessors, successors, assigns, partners, partnerships, parents,  
7 subsidiaries, affiliated and related entities, officers, directors, principals, agents, servants,  
8 employees, representatives, and all persons, firms, plaintiffs, defendants and/or persons or  
9 entities connected with each of them, including, without limitation, their insurers, sureties,  
10 attorneys, consultants and experts.

11 (d) **Severability.** If any provision or any part of any provision of this Settlement  
12 Agreement shall for any reason be held to be invalid, unenforceable or contrary to public policy  
13 or any law, then the remainder of this Settlement Agreement shall not be affected thereby and  
14 shall remain in full force and effect.

15 (e) **Entire Agreement.** This Settlement Agreement contains the entire  
16 understanding among the Parties to this Settlement Agreement with regard to the Litigation.  
17 District and/or the District Funds, and is intended to be and is a final integration thereof. There  
18 are no representations, warranties, agreements, arrangements, undertakings, oral or written,  
19 between or among the Parties hereto relating to the terms and conditions of this Settlement  
20 Agreement that are not fully expressed herein.

21 (f) **Incorporation of Recitals.** The Recitals to this Settlement Agreement are  
22 hereby incorporated into this Settlement Agreement by this reference.

23 (g) **Facsimile Signatures.** Facsimile or electronically transmitted copies of  
24 signatures shall be acceptable and treated as original signatures.

25 (h) **Counterparts.** This Settlement Agreement may be executed in counterparts and  
26 each executed counterpart shall be as effective as the original.

(i) **Further Assurances.** All Parties agree to cooperate fully and execute any and all supplementary documents and take all additional actions which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Settlement Agreement.

(j) **Time of the Essence.** Time is of the essence for the full execution of this Settlement Agreement and implementation of each and every provision hereof.

(k) **Signatories' Representations and Warranties.** Each signatory to this Settlement Agreement on behalf of any party does hereby personally represent and warrant that he or she has the authority to execute this Settlement Agreement on behalf of, and fully bind, each party whom such individual represents or purports to represent.

(I) **Waiver of Right to Collaterally Attack or Set Aside Settlement Agreement.** The Parties hereby waive all rights of appeal, motions for new trial, motions for judgments notwithstanding the verdict, motions to set aside a judgment of dismissal, if any, and any and all other direct and/or collateral attacks on this Settlement Agreement. This Settlement Agreement is and shall be a full adjudication, settlement and resolution of all claims and defenses in the Litigation as of the date of this Settlement Agreement; and, except for the covenants expressly provided in this Settlement Agreement, this Settlement Agreement discharges all claims and defenses presented by the Litigation. This Agreement shall bind successors, heirs and assigns of all of the Parties.

(m) **Covenant Not to Sue.** The Parties covenant and agree never to commence, aid, or in any way or in any manner prosecute against each other any legal action or proceeding based upon the matters released and settled in this Settlement Agreement and/or to commence any legal action or proceeding based upon any other claim, demand, cause of action, obligations, damage or liability arising out of or related to the matters settled, released and compromised in this Settlement Agreement. This covenant does not extend to any legal action or proceeding brought for the purpose of enforcing this Settlement Agreement.

1 7. The Parties agree that this settlement is entered into in good faith and request the court  
2 to issue an order finding the settlement to have been in good faith and barring any action by any  
3 third parties concerning this good faith settlement and the matters that were raised or that could  
4 have been raised in this litigation under the provisions of Code of Civil Procedure section 877.6.

5 IN WITNESS WHEREOF, the Parties hereto have caused this Settlement Agreement to  
6 be executed as of the date first written above.

7 **CITY:**

8 The City of National City, a municipal corporation

9 By: 

10 Print Name: Ron Morrison

11 Its: Mayor

12 Dated: March 9, 2016

13  
14 **SUCCESSOR AGENCY:**

15 The Successor Agency to the Community Development Commission as the National City  
16 Redevelopment Agency

17 By: 

18 Print Name: Ron Morrison

19 Its: Chairman

20 Dated: March 9, 2016

21  
22 **MORGAN SQUARE:**

23 Morgan Square Inc., a California nonprofit corporation

24 By: 

25 Print Name: Patti E. Finnegan, President

26 Dated: March 8, 2016

1 APPROVED AS TO FORM AND CONTENT

2 HASKINS & ASSOCIATES, APC

3 Dated: 3/8, 2016

4 By: [Signature]  
5 Steve Haskins, Esq.  
6 Attorney for Defendants Morgan Square Inc., a  
7 California non-profit corporation and National  
8 City Morgan Square, Inc.

9 CITY ATTORNEY

10 Dated: 3/17, 2016

11 By: [Signature]  
12 Claudia G. Silva, Esq.  
13 Attorney for Plaintiffs City of National City  
14 and the Successor Agency to the Community  
15 Development Commission as the National City  
16 Redevelopment Agency

17 CHRISTENSEN & SPATH LLP

18 Dated: 3/18, 2016

19 By: [Signature]  
20 Charles B. Christensen, Esq.  
21 Joel B. Mason, Esq.  
22 Attorneys for Plaintiffs City of National City  
23 and the Successor Agency to the Community  
24 Development Commission as the National City  
25 Redevelopment Agency

26 **ORDER**

27 Based upon the foregoing stipulation for settlement and good cause appearing therefore,  
28 the Court hereby APPROVES the Parties Stipulation for Settlement and Good Faith Settlement  
Agreement;

IT IS ORDERED THAT:

1. ALL FUNDS IN THE POSSESSION OF DEFENDANTS [IN THE AMOUNT OF \$256,589.00 ] BE TURNED OVER TO THE CITY UPON THE APPROVAL OF THE SETTLEMENT BY THE DEPARTMENT OF FINANCE;
2. THE CITY BE ALLOWED TO REIMBURSE ITSELF FOR THE PAYMENT OF ITS ATTORNEY'S FEES IN THE AMOUNT OF \$54,006.92;

- 1 3. UPON THE PAYMENT OF ALL FUNDS TO THE CITY THAT THE  
2 PRELIMINARY INJUNCTION ISSUED IN THIS CASE BE AND IS HEREBY  
3 DISSOLVED; AND  
4 4. THE COURT HEREBY RETAINS JURISDICTION TO ENFORCE THE  
5 SETTLEMENT AND THE ORDERS OF THE COURT;  
6 5. EACH OF THE PARTIES ARE HEREBY ORDERED TO PERFORM ALL ACTS  
7 AGREED TO BY THE RESPECTIVE PARTIES WITHIN THE TIME  
8 CONSTRAINTS REFERRED TO IN THE SETTLEMENT.

9 IT IS SO ORDERED.

10 Dated: 3/25/16



Hon. Gregory W. Pollack  
JUDGE OF THE SUPERIOR COURT

### DECLARATION OF DITAS YAMANE

I, DITAS YAMANE, declare and state as follows:


1. I am the bookkeeper of Defendant Morgan Square, Inc. in the above-captioned matter. In my position I have firsthand knowledge of the activity and expenses on Defendant Morgan Square, Inc.'s accounts and funds. The following declarations are of my own personal knowledge and if sworn as a witness, I could competently testify thereto.

2. I have reviewed the pertinent records of the Defendant Morgan Square, Inc. accounts and funds, in particular pertinent to the status and activity of the Business Improvement District account funds at issue in the above-captioned litigation. I have also reviewed the Transmittal Letter dated July 31, 2014, from Leonard C. Sonnenberg, CPA, and its attachments and enclosures, including the Morgan Square, Inc. Audited Financial Statements, dated June 30, 2014, and the Independent Auditor's Report dated July 31, 2014, a true and correct copy of which is attached hereto as Exhibit 1.

3. I hereby certify that there has been no activity related to or expenses paid from the pertinent Defendant Morgan Square, Inc., accounts since the audit reflected by the aforementioned Transmittal Letter and attachments and enclosures from Mr. Leonard C. Sonnenberg, CPA.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 8th day of June 2016, at National City, California.

  
DITAS YAMANE

## MORGAN SQUARE, INC.

24

July 31, 2014

Sonnenberg & Company, CPAs  
5190 Governor Dr. Suite 201  
San Diego, CA 92122

This representation letter is provided in connection with your audit of the financial statements of Morgan Square, Inc., which comprise the statements of net assets as of June 30, 2014, and the related statements of activities-cash basis for the 6 1/2 years then ended, and the related notes to the financial statements, for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in accordance with the cash basis of accounting.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of July 31, 2014, the following representations made to you during your audit.

### Financial Statements

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated February 19, 2014 including our responsibility for the preparation and fair presentation of the financial statements.
- The financial statements referred to above are fairly presented in conformity with cash basis of accounting.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of cash basis accounting.
- All events subsequent to the date of the financial statements and for which cash basis accounting requires adjustment or disclosure have been adjusted or disclosed.
- The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole. A list of the uncorrected misstatements is attached to the representation letter.
- The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with cash basis accounting.
- Material concentrations have been appropriately disclosed in accordance with cash basis.
- Guarantees, whether written or oral, under which the organization is contingently liable, have been properly recorded or disclosed in accordance with cash basis accounting.

### Information Provided

- We have provided you with:
  - Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.


- Additional information that you have requested from us for the purpose of the audit.
  - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- All material transactions have been recorded in the accounting records and are reflected in the financial statements.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We have no knowledge of any fraud or suspected fraud that affects the organization and involves:
  - Management,
  - Employees who have significant roles in internal control, or
  - Others where the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud or suspected fraud affecting the organization's financial statements communicated by employees, former employees, grantors, regulators, or others.
- We have no knowledge of any instances of noncompliance or suspected noncompliance with laws and regulations whose effects should be considered when preparing financial statements.
- We are aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements in accordance with the cash basis of accounting, and we have consulted a lawyer concerning such litigation, claims, or assessments.
- We have disclosed to you the identity of the organization's related parties and all the related party relationships and transactions of which we are aware.
- The organization has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.
- Morgan Square, Inc. is an exempt organization under Section 501(c)(6) of the Internal Revenue Code. Any activities of which we are aware that would jeopardize the Organization's tax-exempt status, and all activities subject to tax on unrelated business income or excise or other tax, have been disclosed to you. All required filings with tax authorities are up-to-date.
- We acknowledge our responsibility for presenting the schedule of functional expenses and the schedule of temporarily restricted net assets in accordance with cash basis and we believe the schedules, including its form and content, is fairly presented in accordance with cash basis. The methods of measurement and presentation of the schedules have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
- We understand that as part of the audit, the auditor
  - Analyzed and/or updated the temporarily restricted revenue accounts,
  - Prepared certain adjusting entries based on these analyses and schedules.
  - We have reviewed the schedules and entries provided by the auditor. We understand and approve the entries prepared by the auditor.

No events have occurred subsequent to the statement of financial position date and through the date of this letter that would require adjustment to, or disclosure in, the financial statements.

Executive Director

  
DITTAS YAMANE, EXEC. SEC.

Board Officer

  
Patti Finnegan, President



# Sonnenberg & Company, CPAs

A Professional Corporation

5190 Governor Drive, Suite 201, San Diego, California 92122

Phone: (858) 457-5252 • (800) 464-4HOA • Fax: (858) 457-2211 • (800) 303-4FAX



Leonard C. Sonnenberg, CPA

## Morgan Square, Inc. Audited Financial Statements June 30, 2014

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Leonard C. Sonnenberg, CPA

## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
**Morgan Square, Inc.**

We have audited the accompanying financial statements of Morgan Square, Inc. (a nonprofit organization), which comprise the statement of assets and net assets—cash basis as of June 30, 2014, and the related statement of revenue and expenses—cash basis for the 6 ½ year period from January 1, 2008 through June 30, 2014, and the related notes to the financial statements.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting as described in Note 2; this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets and net assets – cash basis of Morgan Square, Inc. as of June 30, 2014, and its revenue and expenses – cash basis for the 6½ year period then ended in accordance with the cash basis of accounting as described in Note 2.

**Basis of Accounting**

We draw attention to Note 2 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than U.S. generally accepted accounting principles. Our opinion is not modified with respect to that matter.

**Other Matter**

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The schedules of 1) City of National City Payments Received and Deposited to Morgan Square Bank Accounts on page 9 and 2) Cash Transactions on pages 10 to 14 are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with U.S. generally accepted auditing standards. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

**Going Concern**

The District currently has no source of revenues, and the ultimate disposition of funds on hand has not been determined.

July 31, 2014

  
Sonnenberg & Company, CPAs

**Morgan Square, Inc.**  
**STATEMENT OF ASSETS AND NET ASSETS - CASH BASIS**  
**June 30, 2014**  
**With Comparative Totals for January 1, 2008**

	<u>June 30, 2014</u>	<u>Jan. 1, 2008</u>
<b>ASSETS:</b>		
Cash - Union Bank (Operating)	\$ 32,116	21,455
CD - First Future / Cal Coast	-	102,836
MM - Pacific Western Bk	28	
MM - USA Fed CU	3,014	
MM - USA Fed CU	5	105
MM - USA Fed CU	218	50,766
MM - Seacoast Commerce Bk	129,633	
MM - Seacoast Commerce Bk	81,224	-
MM - Seacoast Commerce Bk	<u>10,351</u>	<u>-</u>
<b>TOTAL ASSETS</b>	<b>\$ <u>256,589</u></b>	<b>\$ <u>175,162</u></b>
<b>NET ASSETS:</b>		
Unrestricted	\$ <u>256,589</u>	\$ <u>175,162</u>
<b>TOTAL NET ASSETS</b>	<b>\$ <u>256,589</u></b>	<b>\$ <u>175,162</u></b>

The Accompanying Notes are an Integral Part of the Financial Statements

**Morgan Square, Inc.**  
**STATEMENT OF REVENUE AND EXPENSES - CASH BASIS**  
**For the 6 and 1/2 Years Ended June 30, 2014**

**Revenue:**

City of National City - Assessments	\$ 492,338
Interest Income	16,454
<b>Total revenue</b>	<u>508,792</u>

**Expenses:**

Program Services	339,312
Supporting Services	88,053
<b>Total expenses</b>	<u>427,365</u>

<b>Change in net assets</b>	<b>\$ 81,427</b>
-----------------------------	------------------

<b>Net assets, beginning of period</b>	<u>175,162</u>
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<b>Net assets, end of period</b>	<u><u>\$ 256,589</u></u>
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The Accompanying Notes are an Integral Part of the Financial Statements

**Morgan Square, Inc.**  
**STATEMENT OF FUNCTIONAL EXPENSES - CASH BASIS**  
For the 6 and 1/2 Years Ended June 30, 2014

	<u>Program Services</u>	<u>Support Services</u>	<u>Total Expenses</u>
<b>Expenses:</b>			
Arbitration - AAA	\$	\$ 2,538	\$ 2,538
Audit - Sonnenberg - 2007		3,600	3,600
Bank charges, fees, etc.		760	760
Consulting - Inzunza		15,200	15,200
Consulting - Marza		6,000	6,000
Insurance - Hartford - D&O		3,500	3,500
Legal - Haskins		25,856	25,856
Maintenance - Rodriguez	251,500		251,500
Maintenance - Plaza Mgmt	17,250		17,250
Maintenance - Urban Corp SD	54,165		54,165
Lighting - Universal	4,060		4,060
Management - Yamane		30,600	30,600
National City Foundation	2,000		2,000
Program - Miscellaneous	2,337		2,337
Sculpture - Becker	5,000		5,000
Stone/Tile - Valencia	3,000		3,000
	<u>          </u>	<u>          </u>	<u>          </u>
<b>Total Expenses</b>	<b>\$ 339,312</b>	<b>\$ 88,053</b>	<b>\$ 427,365</b>

The Accompanying Notes are an Integral part of the Financial Statements

**Morgan Square, Inc.**  
Notes to Financial Statements  
For Years Ended June 30, 2014

**Note 1.      Organization and Nature of Activities**

The Morgan Square, Inc. (the District, also known as “Morgan Square District” or National City Downtown Property Business Improvement District”) was incorporated on December 13, 2004 as a non-profit public benefit corporation. The District operated under an agreement with the Community Development Commission of the City of National City, CA. The District includes 153 parcels representing 96 property owners. Operations began, essentially, in May 2005 with the initial receipt of assessment revenues (See Note 4).

The primary objectives and purposes of this corporation are to bring about the revitalization of the District and its surrounds in the City of National City and to bring about the increased economic well-being of residents, employees, and businesses within the District. In addition, the District strives to promote business improvements and economic development within the District through activities which contribute to the neighborhood and well-being of the Morgan Square Community.

Morgan Square, Inc. is led by a group of significant, small and long-time business and property owners, who pay special assessments in the District. The members of the Board of Directors are composed of four officers and up to nine members who are all business-owners and/or property owners within the District.

Morgan Square’s activities ensure maintenance including litter control, illegal dump removal, graffiti control, sidewalk safety hazard monitoring, lighting service, tree maintenance, and security. Most of these services were provided under contracts with Ezekiel Rodriguez Maintenance and with Urban Corps of San Diego County.

**Income Taxes**

Morgan Square, Inc. is exempt from federal and state income taxes under Section 501(c)(6) of the Internal Revenue Code and section 23701(e) of the California Revenue and Taxation Code. Accordingly, no provision for income taxes is included in the accompanying financial statements. Management is not aware of any uncertain income tax positions that might jeopardize its tax status.

**Note 2.      Summary of Significant Accounting Policies**

**Basis of Presentation**

Morgan Square’s financial statements have been prepared on the cash basis of accounting.

**Use of Estimates**

The preparation of financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect reported amounts of assets, liabilities, revenues, and expenses as of the dates and for the periods presented.

**Morgan Square, Inc.**  
Notes to Financial Statements  
For the 6 ½ Years Ended June 30, 2014

**Note 2.        Summary of Significant Accounting Policies (continued)**

**Cash and cash equivalents**

Morgan Square considers all highly liquid investments available for current use with an initial maturity of three months or less to be cash equivalents.

**Accounts Receivable**

Accounts receivable are receivables from governmental agencies. Morgan Square has no accounts receivable as of June 30, 2014.

**Concentration of Credit Risk**

The primary revenue consists of assessments received from the City of National City. Concentration of credit risks with respect to revenue are limited, as the majority of Morgan Square's revenues consist of fees from contracts granted by the City of National City.

**Date of Management Review**

Morgan Square's management has evaluated subsequent events through July 31, 2014, the date the financial statements were available to be issued. Management is not aware of any subsequent events that would require adjustment to, or disclosures in, the financial statements.

**Note 3.        Assessment Revenue**

The District's income is derived from property tax assessed on properties within the District. The assessment year is July 1 through June 30 of each year. Morgan Square received \$492,338.46 during the period from January 1, 2008 through April 10, 2010. Thereafter, all assessment payments ceased.

**Note 4.        Commitments and Contingencies**

Morgan Square's contract with the former Community Development Commission is subject to inspection and audit by the appropriate agencies. No provisions for the possible disallowance of program costs have been reflected on its financial statements.

**Morgan Square, Inc.**  
Notes to Financial Statements  
For the 6 ½ Years Ended June 30, 2014

**Note 5.      Litigation**

Nature of the Litigation: San Diego Superior Court Case No. 37-2013-00054606-CU-OR-CTL was filed by the City of National City against Morgan Square, Inc. on June 25, 2013. The case seeks to obtain all funds held by Morgan Square to be distributed according to the City's interpretation of the State law concerning leftover funds under the control of such Districts upon the end of the their authorized term of operation.

Progress of the Matter: The matter is pending. A status conference is scheduled for August 8, 2014, before Judge Prager of the Central Division of the San Diego Superior Court.

Evaluation of the Outcome: An evaluation of an unfavorable outcome and an estimate of potential loss cannot be made as of the date of this report.

**Note 6.      Unpaid Liabilities**

Morgan Square has certain unrecorded liabilities, which have not been included in the accompanying cash-basis financial statements, as follows.

Attorney Fees and expenses – Haskins & Associates	\$ 16,764.95
Audit Fees - Sonnenberg & Company, CPAs, APC	10,000.00
Directors & Officers Insurance – The Hartford	530.00
 Total Unpaid Liabilities	 \$ 27,294.95
 Total Cash and Equivalents as of June 30, 2014	 \$256,589.27
 Remaining Balance	 \$229,294.32

**Morgan Square, Inc.**  
**Schedule of Payments Received from City of National City**  
**and Deposited to Morgan Square Bank Accounts**  
**January 1, 2008 through April 10, 2010**

<u>Year</u>	<u>Payments</u>	<u>USA CU</u>	<u>Union Bk</u>	<u>Pac West</u>
2008	38,676.51	38,676.51		
	66,697.28	66,697.28		
	5,187.46		5,187.46	
	4,220.12		4,220.12	
	6,951.35		6,951.35	
	69,822.87		69,822.87	
	404.80		404.80	
	23,182.73		23,182.73	
2009	126,701.85		126,701.85	
	5,722.28			5,722.28
	5,617.52			5,617.52
	2,116.93			2,116.93
	91,021.34			91,021.34
	43,015.04			43,015.04
	2,642.48			2,642.48
2010	<u>357.90</u>		<u>357.90</u>	<u>          </u>
Totals	492,338.46	105,373.79	236,829.08	150,135.59

See Auditor's Report

## CASH TRANSACTIONS

	Beg Bal	Deposit	#	Trans-In	Interest	#	Trans-Out	Expense	End Bal
Union Bk	21,455.03	236,829.08		180,109.17	-		-	406,277.68	32,115.60
FirstFut/Cal Coast	102,835.59	-		-	4,521.82		107,357.41	-	-
PacWest 2052	-	7,734.45		107,357.41	74.92		115,164.78	2.00	-
PacWest 2458	-	5,722.28		414,336.15	142.04		420,000.00	172.00	28.47
PacWest CD's	-	-		150,000.00	1,211.83		151,211.83	-	-
PacWest CD's	-	136,678.86		51,408.88	1,371.80		189,459.54	-	0.00
Neighb 0980	-	-		338,396.12	326.03		335,707.82	-	3,014.33
Neighb 5080	-	-		251,050.66	2,306.40		253,357.06	-	-
Neighb CD's	-	-		50,000.00	1,414.27		51,408.88	-	5.39
USA Sav / Navy	105.00	105,373.79		-	200.04		105,678.83	-	0.00
USA S35 / Navy	-	-		83,642.14	75.51		83,500.00	-	217.65
USA CD 6689	43,633.84	-		-	1,859.85		45,493.69	-	-
USA CD 6690	7,132.42	-		-	337.20		7,469.62	-	0.00
Sec Bk 2652	-	-		250,000.00	1,151.09		251,151.09	-	-
Sec Bk 5435	-	-		120,000.00	75.05		120,047.80	27.25	-
Seacoast 2509	-	-		129,144.00	489.37		-	-	129,633.37
Seacoast 2312	-	-		230,357.06	896.64		150,000.00	30.00	81,223.70
Seacoast 9715	-	-		10,350.76	-		-	-	10,350.76
Atty Trust a/c	-	-		150,000.00	-		129,144.00	20,856.00	-
Totals	175,161.88	492,338.46		2,516,152.35	16,453.86		2,516,152.35	427,364.93	256,589.27
Total NC ->		492,338.46							TB

Union Bk	Date	Beg Bal	Deposit		Trans-In	Interest	Trans-Out	Expense	End Bal
	2007	21,455.03							21,455.03
	508	21,455.03		18	25,000.00				46,455.03
NC	308	46,455.03	5,187.46						51,642.49
NC	508	51,642.49	6,951.35						58,593.84
NC	608	58,593.84	69,822.87						128,416.71
NC	708	128,416.71	404.80						128,821.51
NC	708	128,821.51	4,220.12						133,041.63
NC	708	133,041.63	23,182.73					150,618.10	5,606.26
		5,606.26							5,606.26
fr USA S 35	109	5,606.26		16	25,000.00				30,606.26
NC	109	30,606.26	126,701.85						157,308.11
	209	157,308.11						103,738.13	53,569.98
NC	410	53,569.98	357.90						53,927.88
misc	410	53,927.88	10.50						53,938.38
	1210	53,938.38							53,938.38
fr Sec Pac Bk	911	53,938.38		10	15,000.00				68,938.38
	911	68,938.38						67,675.68	1,262.70
	2012	1,262.70							1,262.70
fr Sec Pac Bk	112	1,262.70		19	109.17				1,371.87
fr Neigh Bk	212	1,371.87		34	20,000.00				21,371.87
fr Neigh Bk	812	21,371.87		17	9,000.00				30,371.87
fr Neigh Bk	1212	30,371.87		17	6,000.00				36,371.87
	1212	36,371.87						33,930.00	2,441.87
	1212	2,441.87	10.00						2,451.87
misc	2013	2,451.87	50.00						2,501.87
	113	2,501.87		11	36,000.00				38,501.87
	413	38,501.87		11	44,000.00				82,501.87
		82,501.87						50,386.27	32,115.60
	1213	32,115.60							32,115.60
	314	32,115.60							32,115.60
	614	32,115.60							32,115.60
Subtotal		21,455.03	236,899.58		180,109.17	-	-	406,348.18	32,115.60
reclass refunds			(70.50)					(70.50)	
Totals		21,455.03	236,829.08		180,109.17	-	-	406,277.68	32,115.60

# Note: Numbers indicate transfers in and transfers out  
See Auditor's Report

## CASH TRANSACTIONS

FirstFut/Cal Coas	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	1207	102,835.59						102,835.59
	307	102,835.59			1,222.34			104,057.93
	607	104,057.93			1,016.93			105,074.86
	907	105,074.86			655.54			105,730.40
	1207	105,730.40			644.52			106,374.92
	308	106,374.92			611.02			106,985.94
to PW 2052	508	106,985.94			371.47	1	107,357.41	(0.00)
		(0.00)						(0.00)
Totals		102,835.59	-	-	4,521.82	107,357.41	-	-

PacWest 2052	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	508	-						-
	509	-	7,734.45					7,734.45
Fr FF-CalCoast	509	7,734.45		107,357.41				115,091.86
	609	115,091.86			41.55			115,133.41
to CD 2305	609	115,133.41				2	100,000.00	15,133.41
	1209	15,133.41			17.91			15,151.32
	610	15,151.32			15.46		2.00	15,164.78
to PW 2458	610	15,164.78				4	15,164.78	0.00
		0.00						0.00
Totals		-	7,734.45	107,357.41	74.92	115,164.78	2.00	-

PacWest 2458	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	509	-						-
NC	509	-	5,722.28	31	58,500.00		5.00	64,217.28
to CD 2306	509	64,217.28				3	50,000.00	14,217.28
	1209	14,217.28						14,217.28
fr 2305	710	14,217.28		5	100,840.96			115,058.24
fr 2306	710	115,058.24		6	50,370.87			165,429.11
fr 2052	710	165,429.11		4	15,164.78			180,601.19
		180,601.19			7.30			180,617.74
		180,617.74			18.55		2.00	180,617.74
CD 2485	710	180,617.74		7	50,364.67			230,982.41
CD 2486	710	230,982.41		8	50,364.67			281,347.08
CD 2487	710	281,347.08		9	88,730.20			370,077.28
		370,077.28			57.88			370,135.16
To Sec	810	370,135.16			58.31	32	120,000.00	250,187.47
To Sec	810	250,187.47				33	250,000.00	112.47
	1210	112.47					84.00	28.47
	614	28.47						28.47
Totals		-	5,722.28	414,336.15	142.04	420,000.00	172.00	28.47

PacWest CD's	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
CD 2305	609	-		2	100,000.00			481.39
to Pac West	710				359.57	5	100,840.96	
CD 2306	609	-		3	50,000.00			215.98
to Pac West	710				154.89	6	50,370.87	
Totals		-	-	150,000.00	1,211.83	151,211.83	-	-

PacWest CD's	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
CD 2485	709	-	50,000.00		123.29			-
to Pac West	710				241.38	7	50,364.67	-
CD 2486	709	-	50,000.00		123.29			-
to Pac West	710				241.38	8	50,364.67	-
CD 2487	709	-	36,678.86	31	51,408.88			217.20
to Pac West	710				425.26	9	88,730.20	
Totals		-	136,678.86	51,408.88	1,371.80	189,459.54	-	-

# Note: Numbers indicate transfers in and transfers out

## CASH TRANSACTIONS

Neighb 0980	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal	
fr Sec Pac 5435	1211	-		16	105,039.06			105,039.06	
	1211	105,039.06			15.83			105,054.89	
to Union Bk	812	105,054.89				17	9,000.00	96,054.89	
to Union Bk	1212	96,054.89				17	6,000.00	90,054.89	
	1212	90,054.89			255.98			90,310.87	
to Union Bk	113	90,310.87				11	36,000.00	54,310.87	
to Union Bk	413	54,310.87				11	44,000.00	10,310.87	
fr Neigh 5080	413	10,310.87		12	233,357.06			243,716.69	
to Seacoast	413	243,716.69			0.46	23	230,357.06	13,360.09	
to Seacoast	413	13,360.09			0.46	23	10,350.76	3,009.79	
	1213	3,009.79			0.80			3,010.59	
	314	3,010.59			1.86			3,012.45	
	614	3,012.45			1.88			3,014.33	
Totals		-	-		338,396.12		335,707.82	-	3,014.33
Neighb 5080	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal	
fr Sec Pac 2652	1211	-		22	251,050.66			251,164.17	
to Union Bk	212	251,164.17				34	20,000.00	231,164.17	
	1212	231,164.17			1,771.32			232,935.49	
		232,935.49						232,935.49	
		232,935.49			421.57			233,357.06	
to Neigh 0980	413	233,357.06				12	233,357.06	0.00	
Totals		-	-		251,050.66		253,357.06	-	0.00
Neighb CDs	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal	
	708	-		30	50,000.00			50,000.00	
		50,000.00			685.79			50,685.79	
	709	50,685.79			723.09	31	51,408.88		
	1210	-			5.39			5.39	
	1211	5.39						5.39	
	614	5.39						5.39	
Totals		-	-		50,000.00		51,408.88	-	5.39
USA Sav / Navy	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal	
	1207	105.00						105.00	
NC	108	105.00	38,676.51		3.84			38,785.35	
NC	208	38,785.35	66,697.28		28.59			105,511.22	
	308	105,511.22			40.22			105,551.44	
	408	105,551.44			38.93			105,590.37	
to USA S35	708	105,590.37				21	30,678.83	74,911.54	
to Union Bk	708	74,911.54			88.46	18	25,000.00	50,000.00	
To Neigh CD	708	50,000.00				30	50,000.00	-	
Totals		105.00	105,373.79	-	200.04		105,678.83	-	0.00
USA S35 / Navy	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal	
fr USA Sav	708	-		21	30,678.83			30,678.83	
	208	30,678.83			57.90			30,736.73	
to Union Bk	109	30,736.73				16	25,000.00	5,736.73	
fr USA Sav	309	5,736.73		15	11.65			5,748.38	
fr USA Sav	309	5,748.38		15	7,457.97			13,206.35	
fr USA Sav	309	13,206.35		14	81.56			13,287.91	
fr USA Sav	309	13,287.91		14	45,412.13			58,700.04	
	309	58,700.04			14.38			58,714.42	
to Pac West CD	409	58,714.42				31	58,500.00	214.42	
	1209	214.42			0.76			215.18	
	1210	215.18			2.20			217.38	
	614	217.38			0.27			217.65	
Totals		-	-		83,642.14		83,500.00	-	217.65

# Note: Numbers indicate transfers in and transfers out

## CASH TRANSACTIONS

USA CD 6689	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	2007	43,633.84						43,633.84
	808	43,633.84			993.17			44,627.01
	708	44,627.01			253.45			44,880.46
	309	44,880.46			323.18			45,203.64
to USA S35	309	45,203.64			290.05	14 81.56		45,412.13
to USA S35	309	45,412.13				14 45,412.13		-
Totals		43,633.84	-	-	1,859.85	45,493.69	-	-

USA CD 6690	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	1207	7,132.42						7,132.42
	608	7,132.42			196.93			7,329.35
	908	7,329.35			41.30			7,370.65
	1208	7,370.65			53.08			7,423.73
	309	7,423.73			45.89			7,469.62
to USA S35	309	7,469.62				15 11.65		7,457.97
to USA S35	309	7,457.97				15 7,457.97		0.00
		0.00						0.00
Totals		7,132.42	-	-	337.20	7,469.62	-	0.00

Sec Bk 2652	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
								-
Fr PacWest 2458	810		33	250,000.00				250,000.00
	810	250,000.00			406.07			250,406.07
	1210	250,406.07			745.02			251,151.09
to Neigh	1211	251,151.09				22 251,050.66		100.43
to Union bk	1211	100.43				19 100.43		(0.00)
		(0.00)						(0.00)
Totals		-	-	250,000.00	1,151.09	251,151.09	-	-

Sec Bk 5435	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	1207	-						-
	808	-						-
Fr PacWest 2458	810	-	32	120,000.00				120,000.00
	810	120,000.00					27.25	119,972.75
	1210	119,972.75			21.53			119,994.28
to Union bk	911	119,994.28				10 15,000.00		104,994.28
	1211	104,994.28			53.52			105,047.80
to Neigh 0980	1211	105,047.80				16 105,039.06		8.74
to Union bk	112	8.74				19 8.74		0.00
		0.00						0.00
		0.00						0.00
Totals		-	-	120,000.00	75.05	120,047.80	27.25	-

# Note: Numbers indicate transfers in and transfers out

## CASH TRANSACTIONS

Seacoast 2509	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
	1207	-						-
frf Haskins Tr	1013	-	21	129,144.00				129,144.00
	1213	129,144.00			144.97			129,288.97
	314	129,288.97			182.90			129,471.87
	414	129,471.87			53.22			129,525.09
	614	129,525.09			108.28			129,633.37
Totals		-	-	129,144.00	489.37	-	-	129,633.37
Seacoast 2312	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
		-						-
fr Neigh 0980	413		23	230,357.06	69.75			230,426.81
	513	230,426.81			166.41			230,593.22
	613	230,593.22			161.15			230,754.37
	713	230,754.37			166.64			230,921.01
	813	230,921.01			63.43		30.00	230,954.44
to Haskins Trust	813	230,954.44				20 150,000.00		80,954.44
	913	80,954.44			26.20			80,980.64
	1213	80,980.64			82.11			81,062.75
	314	81,062.75			79.99			81,142.74
	414	81,142.74			26.68			81,169.42
	614	81,169.42			54.28			81,223.70
Totals		-	-	230,357.06	896.64	150,000.00	30.00	81,223.70
Seacoast 9715	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
		-						-
fr Neigh 0980	413		23	10,350.76				10,350.76
	1213	10,350.76						10,350.76
		10,350.76						10,350.76
	614	10,350.76						10,350.76
Totals		-	-	10,350.76	-	-	-	10,350.76
Atty Trust a/c	Date	Beg Bal	Deposit	Trans-In	Interest	Trans-Out	Expense	End Bal
		-						-
to Haskins Trust	813	-	20	150,000.00		21 129,144.00		20,856.00
Legal Expense	1013	20,856.00					20,856.00	-
Totals		-	-	150,000.00	-	129,144.00	20,856.00	-

# Note: Numbers indicate transfers in and transfers out

See Auditor's Report

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) authorizing the City Manager to execute Earmark Repurposing sheets for submittal to SANDAG to repurpose Federal earmarked SAFETEA-LU funds in the amount of \$611,931 from the I-805 sound walls

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City, 1) authorizing the City Manager to execute Earmark Repurposing sheets for submittal to SANDAG to repurpose Federal earmarked SAFETEA-LU funds in the amount of \$611,931 from the I-805 sound walls project to local roadway rehabilitation projects; and 2) committing to a 20% local match in the amount of \$152,983 using local Prop A TransNet funds, as required for repurposing.

**PREPARED BY:** Kuna Muthusamy, Asst. Director of Eng/PW

**PHONE:** (619) 336-4383

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_

Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

MIS

Local match is available through prior City Council appropriations to Fund 307 (Prop A TransNet) expenditure accounts for roadway improvement projects.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Approve the Resolution authorizing the City Manager to execute Earmark Repurposing sheets to repurpose Federal earmarked SAFETEA-LU funds in the amount of \$611,931 from the I-805 sound walls project to local roadway rehabilitation projects and committing to a 20% local match in the amount of \$152,983.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Earmark Repurposing sheets
2. Background documents

### **Explanation:**

On February 20, 2007, City Council adopted Resolution No. 2007-23 approving an amendment to SANDAG's Regional Transportation Improvement Program (RTIP) to include \$680,000 in Federal SAFETEA-LU funds for the installation of sound walls along the east side of I-805 between Plaza Boulevard and E. 4<sup>th</sup> Street. Due to Federal limits on obligation authority, the amount available was reduced to \$611,931. The Federal funding was earmarked by U.S. Congress based on a recommendation from former Congressman Bob Filner. A copy of the Council Resolution and staff report is attached for reference.

Unfortunately, Congress incorrectly programmed the funds for construction of sound walls at the I-805 / SR-54 interchange, rather than for the east side of I-805, north of Plaza Boulevard, as originally proposed by National City. Staff sent several letters to former Congressman Filner's Office requesting that U.S. Congress approve a statutory amendment to change the legislative description of the project and reprogram funding for the correct location, as required by the Federal Highway Administration (FHWA). After years of petitioning, this item never made it onto the U.S. Congress agenda for consideration.

In June 2011, Caltrans approved the Final Environmental Impact Report / Environmental Assessment with Finding of No Significant Impact for the I-805 Managed Lanes South Project. Based on noise studies conducted as part of the EIR, sound walls were recommended for construction along the east side of I-805 between Plaza Boulevard and Division Street (see attached exhibits from the Final EIR).

On March 8, 2016, FHWA issued guidance on the implementation of Earmark repurposing provisions contained in the 2016 Consolidated Appropriation Act. The repurposed funds may be obligated on a new or existing project in the State within 50 miles of the earmark designation. In speaking with SANDAG staff, the National City sound wall project may qualify for repurposing. The decision to allow for repurposing will ultimately lie with FHWA, based on recommendations from SANDAG and Caltrans.

Since Congress will not take action on changing the legislative description for the I-805 sound walls project, and Caltrans may construct the sound walls as part of a later phase of the I-805 Managed Lanes South Project (funding dependent), Engineering staff is recommending repurposing these funds for local roadway rehabilitation projects in National City.

Therefore, staff is requesting that City Council authorize the City Manager to execute the attached Earmark Repurposing sheets for submittal to SANDAG. In order to qualify for repurposing, the City will need to commit to a 20% local match in the amount of \$152,983. Funding is available through prior City Council appropriations to Fund 307 (Prop A *TransNet*) expenditure accounts for roadway improvement projects.

**DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF LOCAL ASSISTANCE**  
P.O. BOX 942874, MS-1  
SACRAMENTO, CA 94274-0001  
PHONE (916) 654-1776  
FAX (916) 653-1905  
TTY 711  
www.dot.ca.gov



*Serious Drought.  
Serious drought.  
Help save water!*

April 18, 2016

**To: CITIES AND COUNTIES IN CALIFORNIA  
METROPOLITAN PLANNING ORGANIZATIONS  
REGIONAL TRANSPORTATION PLANNING AGENCIES**

**RE: EARMARK REPURPOSE**

Dear Transportation Partners:

The purpose of this letter is to provide you information on the implementation of earmark repurposing by the California Department of Transportation (Caltrans).

On March 8, 2016, the Federal Highway Administration (FHWA) issued guidance on the implementation of earmark repurposing provisions contained in the 2016 FY Appropriation Act, along with lists of earmark projects that are potentially eligible for the repurposing.

The earmark repurposing provides us an opportunity to use some unused federal earmark funds on other transportation projects that face funding shortfalls due to a recent decline in the State's transportation revenues. It is the goal of Caltrans and all its transportation partners that we take full advantage of this opportunity and maximize the use of repurposed earmark funds.

**Earmark Projects Eligible for Repurpose:**

To be eligible for repurpose, an earmark project must have been earmarked more than 10 years ago, and

- Be less than 10 percent obligated
- or
- The project has been completed and closed if more than 10% earmark funds obligated.

**Funding Amount Potentially Available for Repurpose is Substantially Less Than Expected:**

The initial release of earmark project lists by FHWA generated great interest among transportation partners because they gave the impression that close to \$600 million would be available for repurposing. Upon further review, the amount of funding potentially available for repurpose is substantially less, in the range of \$110 million to \$200 million, as explained below.

*Unobligated Balance vs. Available Obligation Authority*— the amount of actual funding available for repurpose is limited by the amount of Obligation Authority (OA), not the Unobligated Balance, as was provided by FHWA. For example, a project earmarked for \$1,000,000 typically receives about \$900,000 of OA, or about 90%. If all \$900,000 have been obligated on the project, leaving \$0 OA, then there will be \$0 available for repurposing, even though \$100,000 in earmark funds remains “unobligated.” In fact, over 200 earmark projects on the list of “more than 10% obligated” have \$0 OA. The Unobligated Balances on these \$0 OA earmark projects total more than \$200 million! If you find one or more of your earmarks to be these \$0 OA projects, you can assume that your projects will not be repurposed.

*Not all earmark projects with positive OA are eligible for repurpose*—Earmarks with more than 10% obligated have to be closed to be eligible for repurpose. After checking the project status in the Caltrans and FHWA project databases, only a small percentage of these “greater than 10% obligated” projects has been closed. The amount of funding available for repurposing is only about \$25 million. This amount is expected to go up over the next few weeks if more earmark projects come in for final invoice payment and closeout.

It may be somewhat disappointing to realize the amount of funding available for repurposing is substantially less than anticipated. Still, \$110 million - \$200 million of earmark funds potentially eligible for repurpose are a significant amount of much needed funding. Our goal should be to repurpose as much as possible to take advantage of this opportunity to put some “stale” earmark funds to use to help advance ready-to-go projects.

#### **Important Deadlines:**

*Deadline for submitting final invoices to close out earmark projects* - To allow enough time for final invoice processing and closeout, final report of expenditure (FOE) and invoices will need to be submitted to Caltrans by **May 30, 2016**.

*Deadline for repurpose* - This opportunity to repurpose earmark projects is available only this federal Fiscal Year. The deadline for Caltrans to submit repurpose requests to FHWA is **September 12, 2016**. To meet this FHWA deadline and allow Caltrans processing, the deadline for local/regional agencies to submit requests to Caltrans is **August 1, 2016**.

*Deadline for obligation of repurposed funds* - Once earmark funds are repurposed, they are available for obligation until **September of 2019**.

Over the next few weeks, regional agencies will work with earmark project sponsors to identify which earmarks will be repurposed and which will continue as originally earmarked with justification. The results of this effort will be a better defined list of earmarks to repurpose and a more realistic funding amount available for repurposing.

**Eligible use of Repurposed Funds:**

To be eligible to use the repurposed earmark funds, a project will need to:

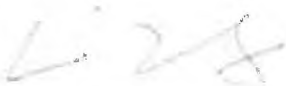
- Be eligible for Surface Transportation Block Grant Program (STBGP, formerly known as STP)
- Be within 50 miles of the original earmark project(s)

Over the next couple of months, Caltrans will work with the regional and local agencies in developing candidate projects to use the repurposed earmark funds.

To help implement the earmark repurposing process, Caltrans has convened an earmark repurposing workgroup that includes members representing regional transportation planning agencies (RTPAs), cities, counties, FHWA, and the CTC. The workgroup will meet regularly to discuss repurposing related matters.

Additional information and lists of earmark projects are posted on the Caltrans Local Assistance website at: <http://www.dot.ca.gov/hq/LocalPrograms/Earmark/index.htm>.

Sincerely,



RAY ZHANG  
Chief  
Division of Local Assistance

## Earmark Repurposing Fact Sheet

### Proposed Project:

**Sponsor:** CITY OF NATIONAL CITY

**Implementing Agency:** CITY OF NATIONAL CITY

**Location (City/County/etc):** CITY OF NATIONAL CITY

**Limits (A to B/Various):**  
CITY OF NATIONAL CITY

**Type of Work:**  
ROAD REHABILITATION

**Is this an existing Federally Programmed Project?**

☒ YES

**TIP ID:**

**Phase(s) of Work to Utilize Repurposed Funds:**

☒ PE

☐ NO

☐ Con

☐ YES

☐ R/W

☐ NO

☐ N/I

☐ NO

### Repurposed Earmark Projects (Source of Funds for this proposed project)

Demo ID #	Legislative Reimbursement Rate	Program Code	Remaining OA Balance to be repurposed to the proposed project	100% OA being utilized?	Distance to Proposed Project (Miles)
CA444	80.00%	LY10	\$611,931.34	YES	25.0

\* Add additional lines as necessary

### Approval:

I certify that the information is accurate and correct. The repurposed earmark project is less than 10% obligated or final vouchered and closed. The proposed project is STBGP eligible, is within 50 miles of the original earmark description, will be obligated on or before September 30, 2019, and meets all requirements of Earmark Repurposing

### Local Sponsor Agency:

City of National City	Leslie Deese, City Manager	
<b>Agency</b>	<b>Name</b>	<b>Signature/Date</b>

### RTPA Representative Authorized to Commit Repurposing:

<b>Agency</b>	<b>Name</b>	<b>Signature/Date</b>

### DLAE Concurrence:

<b>Name</b>	<b>Signature/Date</b>

## Earmark Repurposing RTPA Programming Information

### Project Schedule and Funding

Schedule	Date (mm/yy)
Project Study Report Approved	05/17
Begin Environmental Phase	06/17
Circulate Draft Environmental Document	12/17
Draft Project Report	06/17
End Environmental Phase	12/17
Begin Design Phase	06/17
End Design Phase	03/18
Begin Right-of-Way Phase	01/18
End Right-of-Way Phase	03/18
Begin Construction Phase	07/18
End Construction Phase	12/18
Begin Closeout Phase	01/19
End Closeout Phase	06/19

### Preliminary Engineering

\* Add additional lines as necessary

Fund Source	Amount	Planned Federal Fiscal Year	Authorizing Agency	Date Approved
<b>TOTAL:</b>	<b>\$0</b>			

### Right-of-Way

\* Add additional lines as necessary

Fund Source	Amount	Planned Federal Fiscal Year	Authorizing Agency	Date Approved
<b>TOTAL:</b>	<b>\$0</b>			

### Construction/Non-Infrastructure

\* Add additional lines as necessary

Fund Source	Amount	Planned Federal Fiscal Year	Authorizing Agency	Date Approved
Repurposed Earmark	\$611,931	2017	FHWA	
Local	\$152,983	2017	CITY OF NATIONAL CITY	TBD
<b>TOTAL:</b>	<b>\$764,914</b>			

## RESOLUTION NO. 2007 - 23

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT  
TO SANDAG'S REGIONAL TRANSPORTATION IMPROVEMENT  
PROGRAM (RTIP) TO INCLUDE NEW FUNDING  
FOR THE INSTALLATION OF SOUND-WALLS ALONG  
THE EAST SIDE OF I-805, NORTH OF PLAZA BOULEVARD

WHEREAS, a noise study for the east side of I-805, north of Plaza Boulevard was prepared in 2002, and submitted to the State of California for competitive funding consideration. California Department of Transportation staff conducted a field review and obtained preliminary noise readings; and

WHEREAS, based upon the findings of the study and field review, the east side of the northbound I-805 freeway between Plaza Boulevard and East 4th Street was found to be a potential site for noise pollution mitigation; and

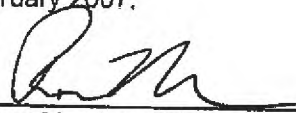
WHEREAS, on February 1, 2005, the City requested funds through Congressman Bob Filner's office to obtain funds for the redesign and construction for sound-wall improvements; and

WHEREAS, on April 21, 2006, Congress authorized awarding the City of National City \$680,000 to construct sound-walls along the east side of I-805, north of Plaza Boulevard; and

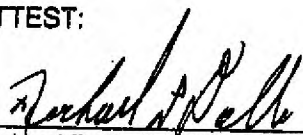
WHEREAS, in order to secure the funds, and before SANDAG takes action, the City is required to approve an amendment to SANDAG's current Regional Transportation Improvement Program (RTIP) to include new funding for the installation of sound-walls on the east side of I-805, north of Plaza Boulevard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby approves an amendment to SANDAG's current Regional Transportation Improvement Program to include new funding for the installation of sound-walls on the east side of I-805, north of Plaza Boulevard.


PASSED and ADOPTED this 20th day of February 2007.

  
Ron Morrison, Mayor

ATTEST:

  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

  
George H. Eiser, III  
City Attorney

Passed and adopted by the Council of the City of National City, California, on February 20, 2007 by the following vote, to-wit:

Ayes: Councilmembers Morrison, Natividad, Parra, Ungab, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON  
Mayor of the City of National City, California

MICHAEL R. DALLA  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2007-23 of the City of National City, California, passed and adopted by the Council of said City on February 20, 2007.



Michael R. Dalla  
City Clerk of the City of National City, California

By: \_\_\_\_\_  
Deputy

City of National City, California  
**COUNCIL AGENDA STATEMENT**

**MEETING DATE** February 20, 2007

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE** Resolution of the City Council of National City adopting an amendment to the Regional Transportation Improvement Program (RTIP) of SANDAG to include a new funding for Installation of sound-walls along the east side of I-805, north of Plaza Boulevard

**PREPARED BY** Din Daneshfar

**DEPARTMENT**

Engineering

**EXT.** 4387

**EXPLANATION**

See attached explanation

**Environmental Review** X N/A

**MIS Approval** \_\_\_\_\_

**Financial Statement**

**Approved By:** \_\_\_\_\_

Finance Director

The allocated funds will be programmed for project design and construction work.

**Account No.** \_\_\_\_\_

**STAFF RECOMMENDATION**

Adopt the Resolution.



**BOARD / COMMISSION RECOMMENDATION**

N/A

**ATTACHMENTS ( Listed Below )**

**Resolution No.** \_\_\_\_\_

1. Resolution      2. Quarterly RTIP Amendment Notification      3. Completed SANDAG's Table 1

RE: Resolution of the City Council of National City adopting an amendment to the Regional Transportation Improvement Program (RTIP) of SANDAG to include a new funding for Installation of sound-walls along the east side of I-805, north of Plaza Boulevard

### **Background**

A noise study was prepared in 2002 and submitted to the State of California for competitive funding consideration. California Department of Transportation staff conducted a field review and obtained preliminary noise readings. Based upon the findings of the study and field review, the east side of I-805 freeway (along northbound) between Plaza Boulevard and 4<sup>th</sup> Street, in National City was found to be a potential site for noise pollution mitigation.

The project will primarily benefit properties that are located along east side of I-805 freeway in National City. The property owners in this area have expressed concerns about the high level of noise due to the freeway traffic.

### **Request for Funds**

On February 1, 2005, the City requested funds through Congressman Bob Filner's office to obtain funds for the design and construction of the sound-wall improvements.

### **Authorization/Award of Funds**

On April 21, 2006, Congress through Congressman Bob Filner's office authorized awarding of \$680,000 to the City of National City to construct sound-walls (approximately 1000 feet long with variable height) along the east side of I-805, north of Plaza Boulevard.

### **SANDAG's Allocation Process**

**RTIP Amendment:** In order to secure the funds the City is required to request an amendment to current Regional Transportation Improvement Program (RTIP) approved by the City Council before SANDAG takes action. On January 29, 2006, the City of National City received a quarterly amendment notification (attached) from SANDAG for the next RTIP Amendment scheduled for the April 20, 2007 Transportation Committee meeting. We have already submitted an electronic request form (attached) to SANDAG to amend the RTIP through Projecttrack.

**Funds Obligation:** According to San Diego Association of Governments (SANDAG) limits on Obligation Authority may reduce the amount we actually get reimbursed by about 12 to 15%. The City may need to program local match funds on 80% federal and 20% local basis.

**Request for adoption of the Amendment**

The purpose of this agenda item is to request the City Council to adopt the proposed amendment to the existing RTIP to include the new funding through Congress for the installation of sound-walls on east side of I-805, north of Plaza Boulevard.



401 B Street, Suite 800  
San Diego, CA 92101-4231  
(619) 699-1900  
Fax (619) 699-1905  
www.sandag.org

January 29, 2006

File Number 4000600

TO: RTIP Contacts  
FROM: Sookyung Kim  
SUBJECT: Quarterly Amendment Notification

This memo is to provide notification for the next Regional Transportation Improvement Program (RTIP) Amendment scheduled for the April 20, 2007 Transportation Committee meeting.

Below is the schedule for Amendment No. 4:

Project amendments due via ProjectTrak	2/20/07
SANDAG issues 30-day public notice	2/28/07
Signed Council/Board resolution due	3/30/07

Note that agencies are required to have project amendments approved by its governing body **before** SANDAG takes action. These due dates are final; no late submittals will be accepted. If SANDAG does not have the proper documentation that the projects were approved by its governing body, the projects will **not** be included in the amendment. Detailed schedule for FY 2007 is available on the RTIP Web site ([www.sandag.org/2006RTIP](http://www.sandag.org/2006RTIP)).

An information memo also will be sent to SANDAG Board members.

If you have any question, please contact me at (619) 699-6909 or [ski@sandag.org](mailto:ski@sandag.org).

SKI/ais

cc: City Managers/CAO

MEMBER AGENCIES

Cities of  
Carlsbad  
Chula Vista  
Coronado  
Del Mar  
Escondido  
Encinitas  
Escondido  
Imperial Beach  
La Mesa  
Lemon Grove  
National City  
Oceanside  
Poway  
San Diego  
San Marcos  
Santee  
Solana Beach  
Vista  
and  
County of San Diego

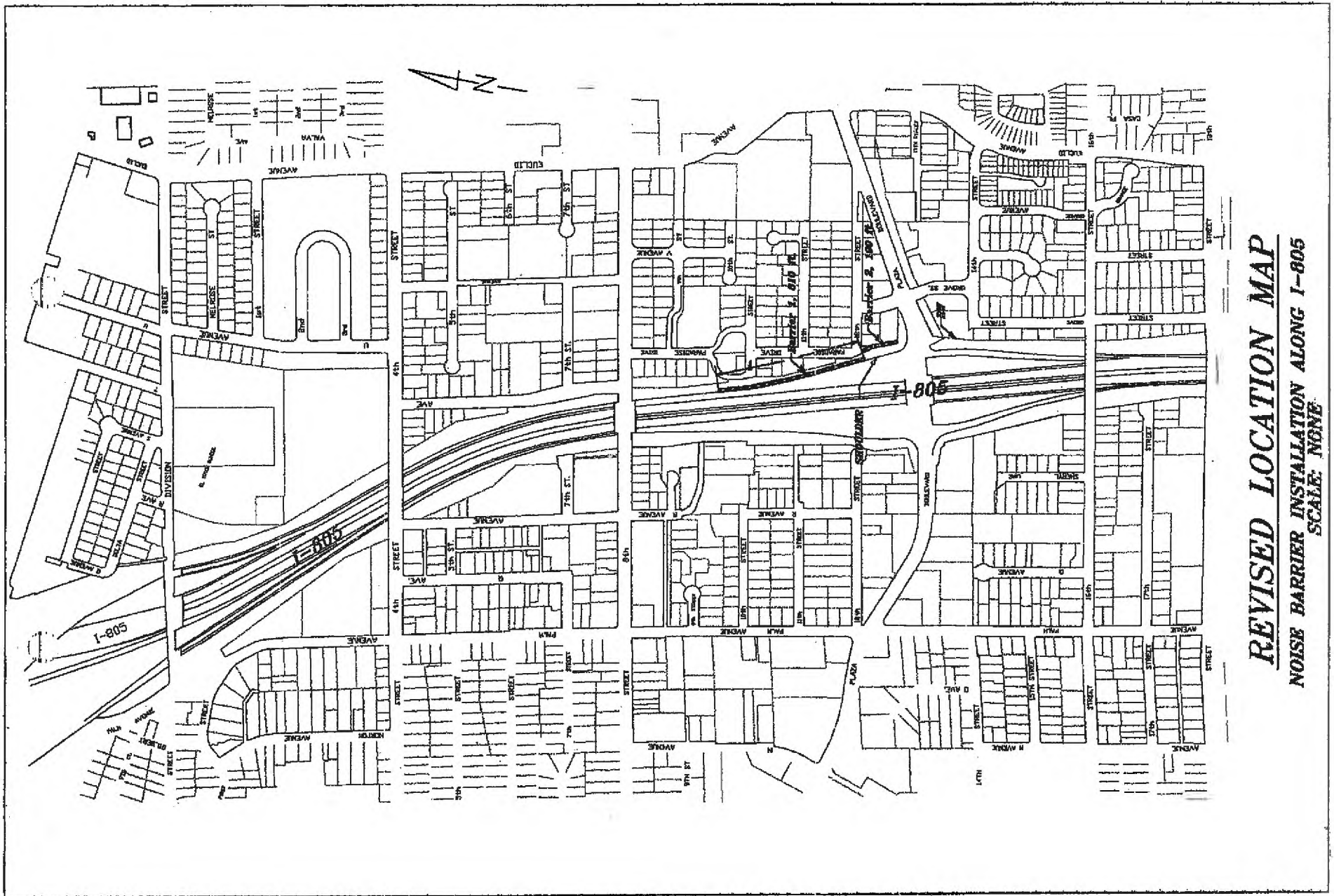
ADVISORY MEMBERS

Imperial County  
California Department  
of Transportation  
Metropolitan  
Transit System  
North County  
Transit District  
United States  
Department of Defense  
San Diego  
United Port District  
San Diego County  
Water Authority  
Southern California  
Tribal Chairmen's Association  
Mexico

**Table 1**  
**2006 Regional Transportation Improvement Program**  
**DRAFT - Amendment No. 04**  
**San Diego Region (in \$000s)**

National City, City of

MPO ID: NC10			Capacity Status: NC!					RTIP #: 06-04		
TITLE: I-805 Noise Barriers (Soundwall)										
DESCRIPTION: Along east side of I-805 (northbound) between Plaza Boulevard and 4th Street - <b>Install Soundwall</b>										
CHANGE REASON: New project										
	TOTAL	PRIOR	06/07	07/08	08/09	09/10	10/11	PE	RW	CON
HPP	\$680			\$120	\$560			\$120		\$560
Local Funds	\$170			\$30	\$140			\$30		\$140
TOTAL	\$850			\$150	\$700			\$150		\$700



**REVISED LOCATION MAP**  
**NOISE BARRIER INSTALLATION ALONG I-805**  
**SCALE: NONE**

**BOB FILNER**  
51ST DISTRICT, CALIFORNIA

VETERANS' AFFAIRS COMMITTEE  
RANKING MEMBER

TRANSPORTATION AND INFRASTRUCTURE  
COMMITTEE

AVIATION

HIGHWAY AND TRANSIT

WATER RESOURCES AND ENVIRONMENT

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,  
AND EMERGENCY MANAGEMENT



CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

February 22, 2012

2428 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
TEL: (202) 225-8045  
FAX: (202) 225-9073

333 F STREET, SUITE A  
CHULA VISTA, CALIFORNIA 91910  
TEL: (619) 422-5963  
FAX: (619) 422-7290

1101 AIRPORT ROAD, SUITE D  
IMPERIAL, CALIFORNIA 92251  
TEL: (760) 355-8800  
FAX: (760) 355-8802

website: [www.house.gov/filner](http://www.house.gov/filner)

The Honorable Victor M. Mendez  
Administrator  
U.S. Department of Transportation  
Federal Highway Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Administrator Mendez:

I write regarding funding authorized in SAFETEA-LU (P.L. 109-59) for National City to construct sound walls along I-805 in my Congressional District.


As you may know, SAFETEA-LU High Priority Project 1307 authorized \$680,000 to "construct sound barriers at the I-805/SR54 interchange, National City." However, the original project description should have read "construct sound walls along the east side of I-805 (northbound) between Plaza Blvd and 4<sup>th</sup> Street, National City."

Since passage of SAFETEA-LU, National City has been unable to utilize the funds because of the technical wording error. Therefore, I write to urge the Federal Highway Administration (FHWA) to approve the use of HPP 1307 funds to "construct sound walls along the east side of I-805 (northbound) between Plaza Blvd and 4<sup>th</sup> Street, National City."

The project and funding was amended into the San Diego Association of Government's (SANDAG) Regional Transportation Improvement Program (RTIP) and was approved by the State of California Department of Transportation (Caltrans) on April 27, 2007 (see attached letter from Caltrans and RTIP project sheet).

Thank you in advance for your consideration of my request.

Sincerely,

  
**BOB FILNER**  
Member of Congress

BF/sw  
Enclosures  
2605666

BOB FILNER  
51ST DISTRICT, CALIFORNIA

VETERANS' AFFAIRS COMMITTEE  
RANKING MEMBER

TRANSPORTATION AND INFRASTRUCTURE  
COMMITTEE

AVIATION

HIGHWAY AND TRANSIT

WATER RESOURCES AND ENVIRONMENT

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,  
AND EMERGENCY MANAGEMENT



CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

March 21, 2012

RECEIVED MAR 27 2012

2428 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
TEL: (202) 225-8045  
FAX: (202) 225-9073

333 F STREET, SUITE A  
CHULA VISTA, CALIFORNIA 91910  
TEL: (619) 422-5963  
FAX: (619) 422-7290

1101 AIRPORT ROAD, SUITE D  
IMPERIAL, CALIFORNIA 92251  
TEL: (760) 355-8800  
FAX: (760) 355-8802

website: [www.house.gov/filner](http://www.house.gov/filner)

Leslie Deese  
City Manager  
City of National City  
1243 National City Boulevard  
National City, CA 91950

Dear Leslie:

I write to follow-up on National City's request regarding SAFETEA-LU High Priority Project (HPP) 1307.

As expected, the Federal Highway Administration (FHWA) has informed me that the funds can only be used for the project listed in SAFETEA-LU. Enclosed is a copy of the FHWA response indicating that any project changes require new legislation.

Unfortunately, at the beginning of the 112<sup>th</sup> Congress, the new House Leadership announced that all earmarks are prohibited. The earmark ban includes technical corrections to prior earmarks. I am opposed to this policy because it prevents me from helping local communities with projects.

I am sorry that my letter does not bring better news. I will keep this project in mind should the ban on earmarks be lifted.

Sincerely,

BOB FILNER  
Member of Congress

BF/sw  
Enclosure  
2607944



U.S. Department  
of Transportation  
Federal Highway  
Administration

Office of the Administrator

March 9, 2012

1200 New Jersey Ave., SE  
Washington, D.C. 20590

In Reply Refer To:  
HIPA

The Honorable Bob Filner  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Filner:

Thank you for your letter about funds earmarked by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for a noise wall in National City along I-805.

The funds must be used for a project and purpose that matches the statutory description of the project in SAFETEA-LU:

Construct sound barriers at the I-805/SR 54 Interchange, National City.

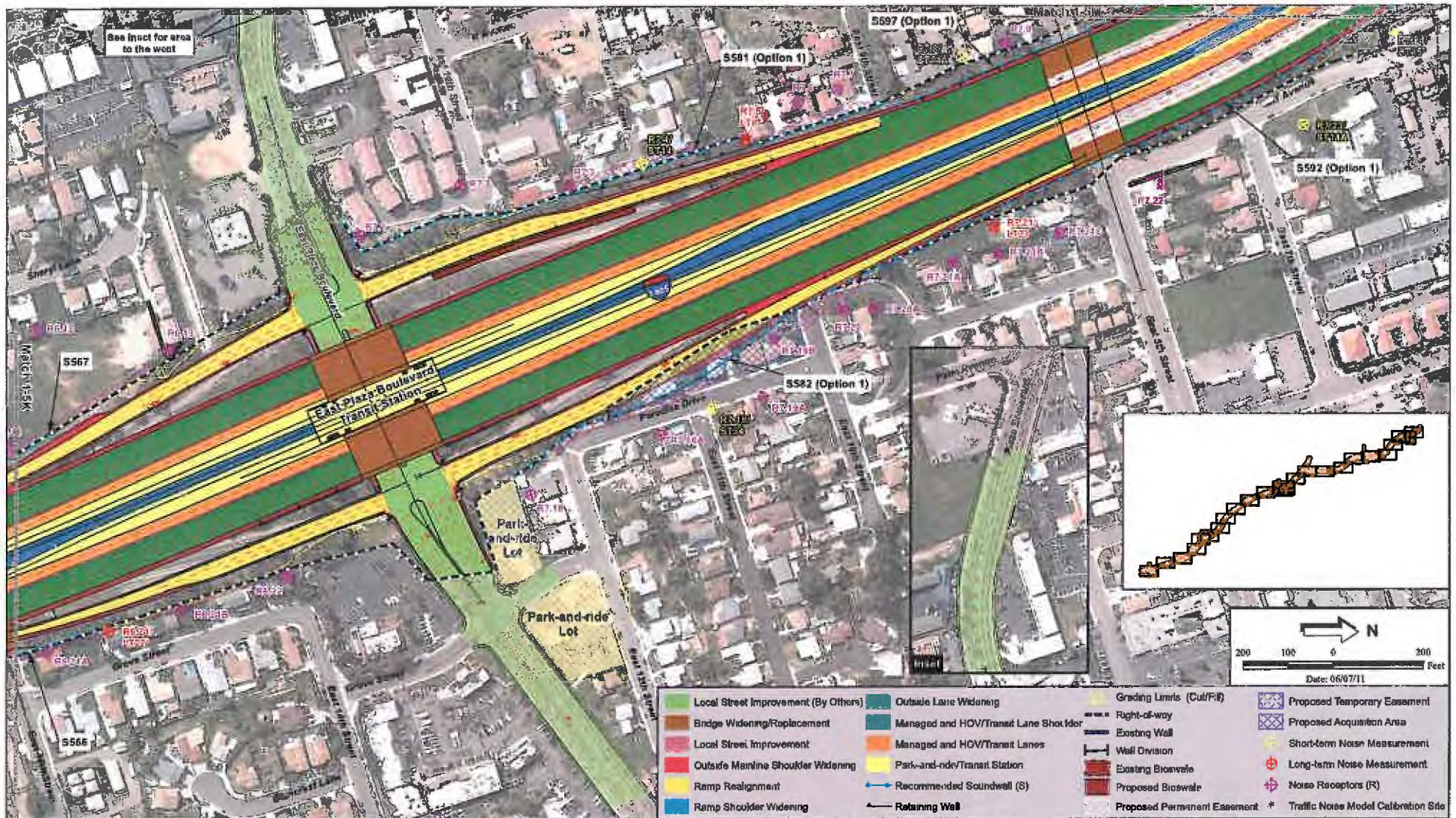
We made the funds available as directed by SAFETEA-LU for the construction of sound barriers at the interchange.

You indicated that National City officials have been unable to use the SAFETEA-LU funding and would like to use it to construct sound walls along I-805 between Plaza Boulevard and Fourth Street. However, the Federal Highway Administration must carry out the statutory provision as written. A statutory amendment would be required to reprogram the funds to construct the noise walls at this location. Officials of the California Department of Transportation can best discuss alternative funding options for the project.

If I can provide further information or assistance, please feel free to call me.

Sincerely,

Victor M. Mendez  
Administrator



## Major Project Features - Build Alternative 1

I-805 MANAGED LANES SOUTH PROJECT

Figure 1-5L



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National authorizing the appropriation of \$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recycling services.

**PREPARED BY:** Stephen Manganiello

**PHONE:** 619-336-4382

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** 

**EXPLANATION:**

In an effort to keep our streets and alleys clean of debris, Public Works staff has requested funding to pay for tire recycling services, which will allow PW crews to drop off tires collected from illegal dumping in City streets and alleys to tire recycling centers.

Fund balance is available in Fund 172 – Trash Rate Stabilization Fund.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

Transfer \$3,000 from Fund 172 Fund Balance to M&O expenditure account #172-416-225-299-0000

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt resolution appropriating \$3,000 in the Trash Rate Stabilization M&O account #172-416-225-299-0000 for contract services from Trash Rate Stabilization Fund fund balance to be used for tire recycling services.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Resolution

The following page(s) contain the backup material for Agenda Item: Temporary Use Permit 8th Annual Health & Wellness Fair hosted by Paradise Valley Hospital and The Southbay Times on October 29, 2016 from 10 a.m. to 3 p.m. at 2400 E. 4th Street with no waiver of fees. (Neighborhood Services)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Temporary Use Permit – 8<sup>th</sup> Annual Health & Wellness Fair hosted by Paradise Valley Hospital and The Southbay Times on October 29, 2016 from 10 a.m. to 3 p.m. at 2400 E. 4<sup>th</sup> Street with no waiver of fees.

**PREPARED BY:** Dionisia Trejo

**DEPARTMENT:** Neighborhood Services Department

**PHONE:** (619) 336-4255

**APPROVED BY:** 

**EXPLANATION:**

This is a request from The Southbay Times, in conjunction with Paradise Valley Hospital, to conduct a Health & Wellness Fair at the Paradise Valley Hospital employee parking grounds (corner of E. 8<sup>th</sup> and Euclid Avenue) on October 29, 2016 from 10 a.m. to 3 p.m. This event will feature free flu shots, glucose testing, diabetes and cholesterol checks, and blood pressure testing. Local restaurants will participate with food specialties. This event is free to all residents, businesses and guests.

Paradise Valley Hospital will provide security and a First Aid booth will be provided by the Philippine Nurses Association. There will be sufficient parking for all guests to park on the Hospital grounds.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **MIS**

City fee of \$237.00 for processing the TUP through the various City departments, and \$200.00 for Fire fees.

Total fees are \$437.00

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Application for a Temporary Use Permit with recommended approvals and conditions of approval.

RECEIVED

JUN 29 2016

Neighborhood Services Department  
City of National City

## EVENT INFORMATION

Type of Event:

☐ Public Concert  
☐ Parade  
☐ Motion Picture

☒ Fair  
☐ Demonstration  
☐ Grand Opening

☐ Festival  
☐ Circus  
☐ Other

☒ Community event  
☐ Block Party

Event Title: 8th Annual National City Health & Wellness Fair

Event Location: Paradise Valley Hospital

Event Date(s): From 10/29/16 to 10/29/16

Actual Event Hours: 10:00 AM to 3:00 PM

Total Anticipated Attendance: 250 ( 150 Participants 100 Spectators)

Setup/assembly/construction Date: 10/28 Start time: 3:00 PM

Please describe the scope of your setup/assembly work (specific details):  
assemble staging - set up canopies - etc.

Dismantle Date: 10/29 Completion Time: 4pm PM

List any street(s) requiring closure as a result of this event. Include street name(s), day and time of closing and day and time of reopening.

NONE.

## APPLICANT AND SPONSORING ORGANIZATION INFORMATION

Sponsoring Organization: Paradise Valley Hospital / The Southbay Times

Chief Officer of Organization (Name) Ditas Yamane

Applicant (Name): 8th Annual NC Health & Wellness Fair

Address: 140 W. 16th Street National City, CA 91950

Daytime Phone: 619-474-5300 Evening Phone: 619-474-5300

Fax: 619-474-6888 E-Mail: ditasyamane@cox.net

Contact Person "on site" day of the event: Ditas Yamane Cellular: 619-921-5125

**NOTE: THIS PERSON MUST BE IN ATTENDANCE FOR THE DURATION OF THE EVENT AND IMMEDIATELY AVAILABLE TO CITY OFFICIALS**

## FEES/PROCEEDS/REPORTING

Is your organization a "Tax Exempt, nonprofit" organization? ☒ YES ☐ NO

Are admission, entry, vendor or participant fees required? ☒ YES ☐ NO

If YES, please explain the purpose and provide amount(s): Admission - FREE

Vendor/Exhibitor Fee to cover cost of the event.

\$ 3000 Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ 2500 Estimated Expenses for this event.

\$ 500 What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

## OVERALL EVENT DESCRIPTION ROUTE MAP/SITE DIAGRAM/SANITATION

Please provide a **DETAILED DESCRIPTION** of your event. Include details regarding any components of your event such as the use of vehicles, animals, rides or any other pertinent information about the event.

Health & Wellness Program. FREE flu shot (while supply last) to members of our community.

FREE health & wellness services. FREE health & wellness information.

To promote health & wellness for a happy and healthy community!

☐ YES ☒ NO If the event involves the sale of cars, will the cars come exclusively from National City car dealers?

If NO, list any additional dealers involved in the sale: NO.

☐ YES ☒ NO Does the event involve the sale or use of alcoholic beverages?

☐ YES ☒ NO Will items or services be sold at the event? If yes, please describe:

## OVERALL EVENT DESCRIPTION CONTINUED

☐ YES ☒ NO Does the event involve a moving route of any kind along streets, sidewalks or highways? If YES, attach a detailed map of your proposed route indicate the direction of travel, and provide a written narrative to explain your route.

☒ YES ☐ NO Does the event involve a fixed venue site? If YES, attach a detailed site map showing all streets impacted by the event.

☒ YES ☐ NO Does the event involve the use of tents or canopies? If YES: Number of tent/canopies 50 Sizes 10x10 | 20x10 | 20x20  
NOTE: A separate Fire Department permit is required for tents or canopies.

☐ YES ☒ NO Will the event involve the use of the City or your stage or PA system?  
SPECIFY: \_\_\_\_\_

In addition to the route map required above, please attach a diagram showing the overall layout and set-up locations for the following items:

☐ Alcoholic and Nonalcoholic Concession and/or Beer Garden areas.  
☒ Food Concession and/or Food Preparation areas. Please describe how food will be served at the event: Paradise Valley Hospital Nutrition Center.  
If you intend to cook food in the event area please specify the method:  
\_\_\_\_ GAS \_\_\_\_ ELECTRIC \_\_\_\_ CHARCOAL \_\_\_\_ OTHER (Specify): \_\_\_\_\_

☒ Portable and/or Permanent Toilet Facilities  
Number of portable toilets: 25/1H (1 for every 250 people is required, unless the applicant can show that there are facilities in the immediate area available to the public during the event)

☒ Tables # 50 and Chairs # 150  
☒ Fencing, barriers and/or barricades  
☒ Generator locations and/or source of electricity  
☒ Canopies or tent locations (include tent/canopy dimensions)  
☒ Booths, exhibits, displays or enclosures  
☐ Scaffolding, bleachers, platforms, stages, grandstands or related structures  
☐ Vehicles and/or trailers  
☒ Other related event components not covered above  
Trash containers and dumpsters

(Note: You must properly dispose of waste and garbage throughout the term of your event and immediately upon conclusion of the event the area must be returned to a clean condition.) Number of trash cans: 24 Trash containers with lids: 4

Describe your plan for clean-up and removal of waste and garbage during and after the event:  
Clean up after the event - removal of waste and garbage during and after the event by volunteers and hospital custodians.

## SAFETY/SECURITY/ACCESSIBILITY

Please describe your procedures for both Crowd Control and Internal Security:

PVH Security personnel and Event Volunteers to provide for crowd control and internal security.

☐ YES ☒ NO Have you hired any Professional Security organization to handle security arrangements for this event? If YES, please list:

Security Organization: Paradise Valley Hospital

Security Organization Address: 2900 Euclid Avenue National City, CA 91950

Security Director (Name): \_\_\_\_\_ Phone: \_\_\_\_\_

☐ YES ☒ NO Is this a night event? If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators:

Day Time Event.

Please indicate what arrangement you have made for providing First Aid Staffing and Equipment.

Paradise Valley Hospital and the Philippine Nurses Association will be providing First Aid & Equipment.

Health & Human Services Agency and the Center for Health Promotion will be providing equipment.

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

PVH has ADA compliance for access by individuals with disabilities.

## PARKING PLAN/MITIGATION OF IMPACT

Please provide a detailed description of your PARKING plan:

PVH has ample parking plan during the event.

Please describe your plan for DISABLED PARKING:

PVH parking lot provides for disabled parking.

Please describe your plans to notify all residents, businesses and churches impacted by the event:

Flying, poster, newspapers, and social media networking and advertising.

**NOTE: Neighborhood residents must be notified 72 hours in advance when events are scheduled in the City parks.**

## ENTERTAINMENT/ATTRACTIONS AND RELATED EVENT ACTIVITIES

☒ YES ☐ NO Are there any musical entertainment features related to your event? If YES,  
please state the number of stages, number of bands and type of music. Number  
of Stages: 1 Number of Bands: 1  
Type of Music: family oriented.

☒ YES ☐ NO Will sound amplification be used? If YES, please indicate:  
Start time: 9:30am AM Finish Time 3:00pm PM

☒ YES ☐ NO Will sound checks be conducted prior to the event? If YES, please indicate:  
Start time: 9:30am AM Finish Time 3:00 PM

Please describe the sound equipment that will be used for your event:

DJ

☐ YES ☒ NO Fireworks, rockets, or other pyrotechnics? If YES, please describe:  
None.

☒ YES ☐ NO Any signs, banners, decorations, special lighting? If YES, please describe:  
Banners ; Balloons; Posters

# City of National City

## PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit.

Organization Paradise Valley Hospital / The Southbay Times

Person in Charge of Activity Ditas Yamane

Address 140 W 16th Street National City, CA 91950

Telephone (619) 474-5300 Date(s) of Use 10/29/2016

### HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorney fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

  
Signature of Applicant Official Title Date

10/29/16

For Office Use Only

Certificate of Insurance Approved \_\_\_\_\_ Date 10/29/16

# 8th Annual National City Health & Wellness Fair!

Saturday, OCTOBER 29, 2016 • 10AM - 3PM  
Paradise Valley Hospital - Employee Parking Lot  
(corners of E. 8th Street & Euclid Avenue)  
National City, CA 91950

FOOT PRINT

SLIDE / JUMPER

Euclid Avenue

B1

East 8th Street

**CITY OF NATIONAL CITY  
NEIGHBORHOOD SERVICES DEPARTMENT  
APPLICATION FOR A TEMPORARY USE PERMIT  
RECOMMENDED APPROVALS AND CONDITIONS OF APPROVAL**

**SPONSORING ORGANIZATION: Paradise Valley Hospital/ The Southbay Times**  
**EVENT: 8<sup>th</sup> Annual National City Health & Wellness Fair**  
**DATE OF EVENT: October 29, 2016**

**APPROVALS:**

COMMUNITY SERVICES	YES [ ]	NO [x]	SEE CONDITIONS [ ]
RISK MANAGER	YES [x]	NO [ ]	SEE CONDITIONS [x]
DEVELOPMENT SERVICES	YES [x]	NO [ ]	SEE CONDITIONS [x]
PUBLIC WORKS	YES [ ]	NO [x]	SEE CONDITIONS [ ]
FINANCE	YES [ ]	NO [x]	SEE CONDITIONS [ ]
FIRE	YES [x]	NO [ ]	SEE CONDITIONS [x]
POLICE	YES [x]	NO [ ]	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO [ ]	SEE CONDITIONS [x]

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**CONDITIONS OF APPROVAL:**

**DEVELOPMENT SERVICES**

**Engineering**

Applicant shall fill out the Pre-Event Storm Water Compliance Checklist prior to date of event and submit the completed form.

The Parks Division will fill out the post event form, and not the applicant.

**Planning**

Speakers shall be faced away from residential areas.

**POLICE (619) 336-4400**

This event takes place in the hospital's parking lot. There have been no traffic issues associated with this event in the past. In addition, the hospital plans to staff security for this event, which is reasonable for the size of this event. The National City Police Department will have the day time patrol officers extra patrol this area.

**CITY ATTORNEY**

Requires an indemnification and hold harmless agreement, and a policy of general liability insurance, with the City and its officials, employees, agents and volunteers as additional insureds, with amounts of coverage to be determined by the Risk Manager.

## **RISK MANAGER**

- Provide a valid copy of the Certificate of Insurance wherein the City of National City, its officials, agents and employees are named as an additional insured by way of an endorsement.
- The insurance policy must have incorporated into it a hold harmless and indemnification agreement.
- The insurance policy must have a combined single limit of no less than \$1,000,000.00 (ONE MILLION DOLLARS) for each occurrence and \$2,000,000.00 (TWO MILLION DOLLARS) in aggregate that would cover the date and location of the event.
- The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not then insurance policy must be submitted to the Risk Management Department for review and approval prior to the issuance of the Temporary Use Permit.
- The Certificate Holder must reflect:  
City of National City  
c/o Risk Manager  
1243 National City Boulevard  
National City, CA. 91950-4397
- Name, address and contact information for the broker providing this insurance policy must be on the face of the Certificate of Insurance.

## **FIRE** (619) 336-4550

**THIS EVENT WILL REQUIRE AN AFTER HOUR FIRE INSPECTION  
AT A COST OF \$200.00**

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Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the street to be maintained at all times, to both entrances and Fire Department connections for fire sprinkler systems, standpipes, etc.
- 2) Fire Department access into and through the booth/tent areas are to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches
- 3) Fire Hydrants shall not be blocked or obstructed.
- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s).
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s).

- 6) Provide a 2A:10BC fire extinguisher at stage. Extinguisher to be mounted in a visible location between 3½' to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance.
- 7) All cooking booths or areas to have one 2A:10BC. If grease or oil is used in cooking a 40:BC or class "K" fire extinguisher will be required. **All fire extinguishers to have a current State Fire Marshal Tag attached. Extinguishers shall be mounted in conspicuous area inside tent or canopy. Please see attached example.**

**Note:** TUP states that food will be served at the event. However, nothing has been selected as how the food will be cooked on page 3 of the TUP.

- 8) If Charcoal is being used, provide metal cans with lids and label "HOT COALS ONLY" for used charcoal disposal.
- 9) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event to include all cooking areas etc.
- 10) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of two hundred (\$200.00) dollars.
- 11) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only.
- 12) If tents or canopies are used, tents having an area in excess of 200 square feet and or canopies in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated areas, are to be used, they shall be flame-retardant treated with an approved State Fire Marshal seal attached. **A ten feet separation distance must be maintained between tents and canopies.** A permit from the Fire Department must be obtained. ***Cooking shall not be permitted under tents or canopies unless the tents or canopies meet "State Fire Marshal approval for cooking."***

**Canopies:**

0 – 400 sf -	\$0
401 – 500 sf -	\$250.00
501 – 600 sf -	\$300.00
601 – 700 sf -	\$400.00

**Tents:**

0 – 200 sf -	\$200.00
201 – (+) sf -	\$400.00

- 13) First Aid will be provided by organization.
- 14) Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides.

The following page(s) contain the backup material for Agenda Item: League of California Cities Annual Conference - Designation of Voting Delegate and Alternate(s). (City Manager)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** August 2, 2016

**AGENDA ITEM NO.** |

**ITEM TITLE:**

League of California Cities Annual Conference – Designation of Voting Delegate and Alternate(s)

**PREPARED BY:** Leslie Deese, City Manager

**DEPARTMENT:** City Manager

**PHONE:** 619-336-4240

**APPROVED BY:** 

**EXPLANATION:**

See attached Staff Report

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

If approved by Council, the travel costs and registration fees associated with this meeting would be charged to the appointed City Council members' training funds included in the FY 2016-17 preliminary budget.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Staff requests Council's designation of a voting delegate and up to two alternates to represent the City of National City during the 2016 League of California Cities Annual Conference.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Staff Report
2. League of California Cities' information dated June 10, 2016



Title: League of California Cities Annual Conference – Designation of Voting Delegate and Alternate(s)

The League of California Cities 2016 Annual Conference is scheduled for October 5 – 7 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting scheduled for noon on Friday, October 7 at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order for cities to cast a vote during the Business Meeting, each city's respective Council must designate a voting delegate. In the instance that the selected voting delegate is unable to serve in that capacity, the League of California Cities' bylaws afford each city the opportunity to appoint up to two alternate voting delegates.

According to the League's bylaws, the selection of the voting delegate and alternates must be performed through the official action of the City Council. Furthermore, the voting delegate and alternates must be registered to attend the conference. Eligible individuals who may be selected as the City's voting delegate include the Mayor, each City Council member, as well as any other City official selected by the City Council to serve in this capacity.

At this time, Staff respectfully requests the City Council consider appointing a voting delegate and one or two alternate voting delegates to vote on the City's behalf at the Annual Business Meeting of the League of California Cities on October 7, 2016.

Staff Recommendation: Staff respectfully requests Council's designation of a voting delegate and up to two alternates to represent the City of National City during the 2016 League of California Cities Annual Conference.

Fiscal Impact: The travel costs and registration fees associated with this meeting will be charged to the appointed City Council members training funds included in the 2016-17 preliminary budget.



RECEIVED

JUN 30 2016

CITY OF NATIONAL CITY  
CITY MANAGER'S OFFICE

Council Action Advised by July 31, 2016

June 10, 2016

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES**  
**League of California Cities Annual Conference – October 5 – 7, Long Beach**

The League's 2016 Annual Conference is scheduled for October 5 – 7 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for noon on Friday, October 7, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 23, 2016. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Long Beach Convention Center, will be open at the following times: Wednesday, October 5, 8:00 a.m. – 6:00 p.m.; Thursday, October 6, 7:00 a.m. – 4:00 p.m.; and Friday, October 7, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 23. If you have questions, please call Kayla Gibson at (916) 658-8247.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.





**CITY:** \_\_\_\_\_

**2016 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, September 23, 2016. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

Date: \_\_\_\_\_

**Please complete and return by Friday, September 23, 2016**

League of California Cities  
ATTN: **Kayla Gibson**  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8240**  
E-mail: [kgibson@cacities.org](mailto:kgibson@cacities.org)  
(916) 658-8247

